

ESTTA Tracking number: **ESTTA724707**

Filing date: **02/03/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91223262
Party	Defendant Twitter, Inc.
Correspondence Address	JOSEPH PETERSEN KILPATRICK TOWNSEND & STOCKTON LLP 1080 MARSH ROAD MENLO PARK, CA 94025 UNITED STATES JPetersen@kiltown.com, aroach@kiltown.com, cgenteman@kiltown.com, agar-cia@kiltown.com, tmadmin@kiltown.com
Submission	Other Motions/Papers
Filer's Name	Allison Scott Roach
Filer's e-mail	JPetersen@kiltown.com, aroach@kiltown.com, cgenteman@kiltown.com, agar-cia@kiltown.com, tmadmin@kiltown.com
Signature	/Allison Scott Roach/
Date	02/03/2016
Attachments	REDACTED Roach Declaration ISO Twitter_s Motion to take Depos of Foreign Deponents by Oral Exam.PDF(1368059 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

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CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
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**DECLARATION OF ALLISON SCOTT ROACH IN SUPPORT OF
TWITTER, INC.'S MOTION TO TAKE DEPOSITIONS
OF FOREIGN DEONENTS BY ORAL EXAMINATION**

I, Allison Scott Roach, make the following declaration:

1. I am an associate at the law firm Kilpatrick Townsend & Stockton LLP (“Kilpatrick”) and am one of the attorneys representing Applicant Twitter, Inc. (“Twitter”) in this action brought by Opposer Content Guru Limited (“Opposer”). I am over the age of twenty-one, I am competent to make this Declaration, and the facts set forth in this Declaration are based on my personal knowledge.

2. I participated in the discovery conference held by counsel for the parties by telephone on October 5, 2015. During the conference, Joseph Petersen, counsel for Twitter proposed that depositions of Opposer’s representatives be taken live by video conference rather than on written questions, and requested Opposer’s consent to do so.

3. Attached as **Exhibit 1** is a true and correct copy of a November 20, 2015 email from counsel for Twitter to counsel for Opposer.

4. Attached as **Exhibit 2** is a true and correct copy of a November 25, 2015 email reply from counsel for Opposer to counsel for Twitter.

5. On October 29, 2015, counsel for Twitter served Applicant's First Set of Interrogatories to Opposer and Applicant's First Set of Requests for Production of Documents and Things to Opposer.

6. Attached as **Exhibit 3** is a true and correct copy of Opposer's Initial Disclosures, served by Opposer's counsel on November 20, 2015.

7. Attached as **Exhibit 4** is a true and correct copy of Opposer's Objections and Responses to Applicant's First Set of Interrogatories to Opposer, initially served by Opposer's counsel on December 17, 2015, with a verified copy served on December 22, 2015.

8. Attached as **Exhibit 5** is a true and correct copy of Opposer's Objections and Responses to Applicant's First Set of Requests for Production of Documents and Things to Opposer, served by Opposer's counsel on December 17, 2015.

9. Attached as **Exhibit 6** is a true and correct copy of Twitter's Notice of Deposition of Martin Taylor, served contemporaneously herewith on February 3, 2016.

10. Attached as **Exhibit 7** is a true and correct copy of Twitter's Notice of Rule 30(b)(6) Deposition of Opposer Content Guru Limited, served contemporaneously herewith on February 3, 2016.

11. Opposer has yet to produce any documents responsive to Applicant's First Set of Requests for Production of Documents and Things to Opposer, nor has Opposer specified when it intends to produce such documents.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: February 3, 2016

/s/Allison Scott Roach

Allison Scott Roach

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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	:	
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	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X		

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing DECLARATION OF ALLISON SCOTT ROACH IN SUPPORT OF TWITTER, INC.'S MOTION TO TAKE DEPOSITIONS OF FOREIGN DEPONENTS BY ORAL EXAMINATION has been served on Opposer by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Janet F. Satterthwaite
Potomac Law Group
1300 Pennsylvania Ave NW
Washington, DC 20004

Dated: February 3, 2016

/s/Alberto Garcia
Alberto Garcia

EXHIBIT 1

Roach, Allie

From: Petersen, Joe
Sent: Friday, November 20, 2015 8:58 PM
To: Janet Satterthwaite
Cc: Elissa Brockbank Reese; Trademark; 0955212 - US: TM OPP TO TWEETSTORM BY CO...;
Roach, Allie; Genteman, Crystal; Garcia, Alberto; Trademark
Subject: RE: CONTENT GURU v. TWITTER--Initial disclosures

Thanks Janet. Your e-mail reminds me that I do not believe I have heard back from you yet regarding certain of the procedural issues we discussed during our discovery conference. Specifically, please let me know whether your client would consent to depositions by video conference in this proceeding. Also, please let me know if your client is amenable to submitting direct client testimony by declaration with both sides reserving the right to cross.

We look forward to hearing from you. In the meantime hope you have a good weekend.

Regards, Joe

Joseph Petersen
Kilpatrick Townsend & Stockton LLP
Menlo Park
1080 Marsh Road | Menlo Park, CA 94025
office 650 614 6427 | cell 917 859 9680 | fax 650 644 0570
New York
The Grace Building | 1114 Avenue of the Americas | New York, NY 10036-7703
office 212 775 8715 | cell 917 859 9680 | fax 212 775 8815
jpetersen@kilpatricktownsend.com | [My Profile](#) | [VCard](#)

* Admitted in California and New York

From: Janet Satterthwaite [<mailto:jsatterthwaite@potomacclaw.com>]
Sent: Friday, November 20, 2015 8:26 AM
To: Petersen, Joe; Roach, Allie; Genteman, Crystal; Garcia, Alberto; Trademark
Cc: Elissa Brockbank Reese; Trademark
Subject: CONTENT GURU v. TWITTER--Initial disclosures

Dear all,
Here is a courtesy copy of our initial disclosures being served today.

regards
Janet

Janet F. Satterthwaite | Partner | Potomac Law Group, PLLC
1300 Pennsylvania Avenue, NW, Suite 700
Washington, D.C. 20004
Tel: (202) 486-1578 | Fax: (202) 318-7707
jsatterthwaite@potomacclaw.com | www.potomacclaw.com

This e-mail and any attachments may contain information that is private, confidential, and/or privileged. If you are not the intended recipient, please notify us immediately and destroy all copies of this message and any attachments.

EXHIBIT 2

Roach, Allie

From: Janet Satterthwaite <jsatterthwaite@potomaclaw.com>
Sent: Wednesday, November 25, 2015 3:40 PM
To: Petersen, Joe
Cc: Elissa Brockbank Reese; Trademark; 0955212 - US: TM OPP TO TWEETSTORM BY CO...; Roach, Allie; Genteman, Crystal; Garcia, Alberto; Trademark
Subject: Re: CONTENT GURU v. TWITTER--procedural things

Dear Joe,

With respect to the procedural issues:

1. We agree to submit direct testimony by declaration with live cross.
2. We do NOT agree to produce foreign witnesses for live depositions by video; but ask that you follow the rules on deposition by written question.
3. We are ok with the standard protective order.

We are still trying to schedule a time to discuss our discovery responses with our client. Would you consent to a 2-week extension of time to respond?

Happy Thanksgiving to all of you.
regards,
Janet

Janet F. Satterthwaite | Partner | Potomac Law Group, PLLC
1300 Pennsylvania Avenue, NW, Suite 700
Washington, D.C. 20004
Tel: (202) 486-1578 | Fax: (202) 318-7707
jsatterthwaite@potomaclaw.com | www.potomaclaw.com

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To: Janet Satterthwaite
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We look forward to hearing from you. In the meantime hope you have a good weekend.

Regards, Joe

Joseph Petersen

Kilpatrick Townsend & Stockton LLP

Menlo Park

1080 Marsh Road | Menlo Park, CA 94025

office 650 614 6427 | cell 917 859 9680 | fax 650 644 0570

New York

The Grace Building | 1114 Avenue of the Americas | New York, NY 10036-7703

office 212 775 8715 | cell 917 859 9680 | fax 212 775 8815

jpetersen@kilpatricktownsend.com | [My Profile](#) | [VCard](#)

* Admitted in California and New York

From: Janet Satterthwaite [<mailto:jsatterthwaite@potomacclaw.com>]

Sent: Friday, November 20, 2015 8:26 AM

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Cc: Elissa Brockbank Reese; Trademark

Subject: CONTENT GURU v. TWITTER--Initial disclosures

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Janet

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1300 Pennsylvania Avenue, NW, Suite 700

Washington, D.C. 20004

Tel: (202) 486-1578 | Fax: (202) 318-7707

jsatterthwaite@potomacclaw.com | www.potomacclaw.com

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EXHIBIT 3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

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CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
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OPPOSER'S INITIAL DISCLOSURES

Pursuant to 37 C.F.R. §§ 2.116 and 2.120 and Federal Rule of Civil Procedure 26(a)(1), Opposer Content Guru Limited ("Opposer") makes the following initial disclosures to Applicant Twitter, Inc. ("Applicant") in connection with the above-captioned matter.

These Initial Disclosures are made to the best of Opposer's current knowledge, information, and belief as of the date of these disclosures. Opposer does not represent that it is identifying every possible witness, document, or tangible thing that could be discoverable in the above-captioned proceeding. These Initial Disclosures, however, are continuing in nature, and Opposer reserves the right to amend or supplement these Initial Disclosures.

Opposer also reserves all rights to: (a) object to the production of any document or tangible thing identified in these Initial Disclosures on any proper basis; (b) object to any discovery requests involving or relating to the subject matter provided in these Initial Disclosures on any proper basis; and (c) object to the admissibility or availability of any witness, information, document, or tangible thing identified in these Initial Disclosures on any proper

basis. These Initial Disclosures each incorporate by reference the above qualifications.

- 1. The name and, if known, the address and telephone number of each individual likely to have discoverable information that Opposer may use to support its claims or defenses, unless the use would be solely for impeachment.**

Name	Address	Subject of Information
Sean Ploen, Esq. Ploen Law Firm, PC	c/o Janet F. Satterthwaite, Esq. Potomac Law Group, PLLC 1300 Pennsylvania Avenue, NW Suite 700 Washington, DC 20004 Tel.: 202.486.1578 Fax: 202.318.7707	Mr. Ploen is the attorney responsible for prosecuting Opposer's STORM Mark and is likely to have discoverable information regarding the same.
1. Martin Taylor (Sales and Marketing Director) and 2. Pradeep Sharma (Financial Controller).	c/o Janet F. Satterthwaite, Esq. Potomac Law Group, PLLC 1300 Pennsylvania Avenue, NW Suite 700 Washington, DC 20004 Tel.: 202.486.1578 Fax: 202.318.7707	Taylor :Marketing Sharma: sales/financial

Opposer also incorporates by reference those persons identified in its other discovery responses or documents exchanged in this action, as well as those persons identified by the Applicant in its Initial Disclosures, other discovery responses, or documents exchanged in this action.

- 2. A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.**

Category of Documents	Location/Custodian of Documents
Documents relating to the Opposer's	c/o Janet F. Satterthwaite

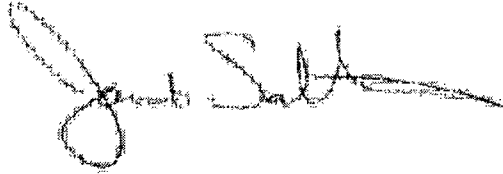
trademark rights, including but not limited to its application with the United States Patent and Trademark Office for the STORM trademark, Serial No. 77544841 (“STORM Trademark”).	Potomac Law Group, PLLC 1300 Pennsylvania Avenue, NW Suite 700 Washington, DC 20004 Tel.: 202.486.1578 Fax: 202.318.7707
Documents relating to Opposer’s use of its STORM Trademark.	See above
Documents relating to the advertising and promotion of Opposer’s services associated with its STORM Trademark.	See above
Documents relating to actual and/or likelihood of confusion and false association or sponsorship resulting from Applicant’s registration of the TWEETSTORM trademark that is the subject of this Opposition proceeding.	See above
Documents related to third party use of the term Tweetstorm.	See above

Opposer also incorporates by reference those documents related to any other issues that will be identified or produced by the Applicant in this action. Opposer reserves the right to supplement these disclosures.

Dated: November 20, 2015

Respectfully Submitted,

POTOMAC LAW GROUP, PLLC

A handwritten signature in black ink, appearing to read "Janet Satterthwaite", written over a horizontal line.

By: _____

Janet F. Satterthwaite

Potomac Law Group, PLLC

1300 Pennsylvania Avenue, NW

Suite 700

Washington, DC 20004

Tel: 202.486.1578

Fax: 202.318.7707

E-Mail: jsatterthwaite@potomacclaw.com

Attorneys for Content Guru Limited

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

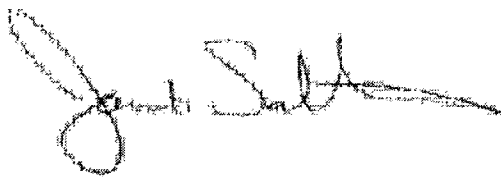
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	:	
TWITTER, INC.,	:	
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Applicant.	:	
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing OPPOSER'S INITIAL DISCLOSURES has been served on Opposer by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Joseph Petersen
Kilpatrick Townsend & Stockton LLP
1080 Marsh Road
Menlo Park, California 94025
Telephone: 650.614.6427
Fax: 650.644.0570
Email: JPetersen@kiltown.com, aroach@kiltown.com, cgenteman@kiltown.com,
agarcia@kiltown.com, tadmin@kiltown.com



Dated: November 20, 2015

Janet F. Satterthwaite

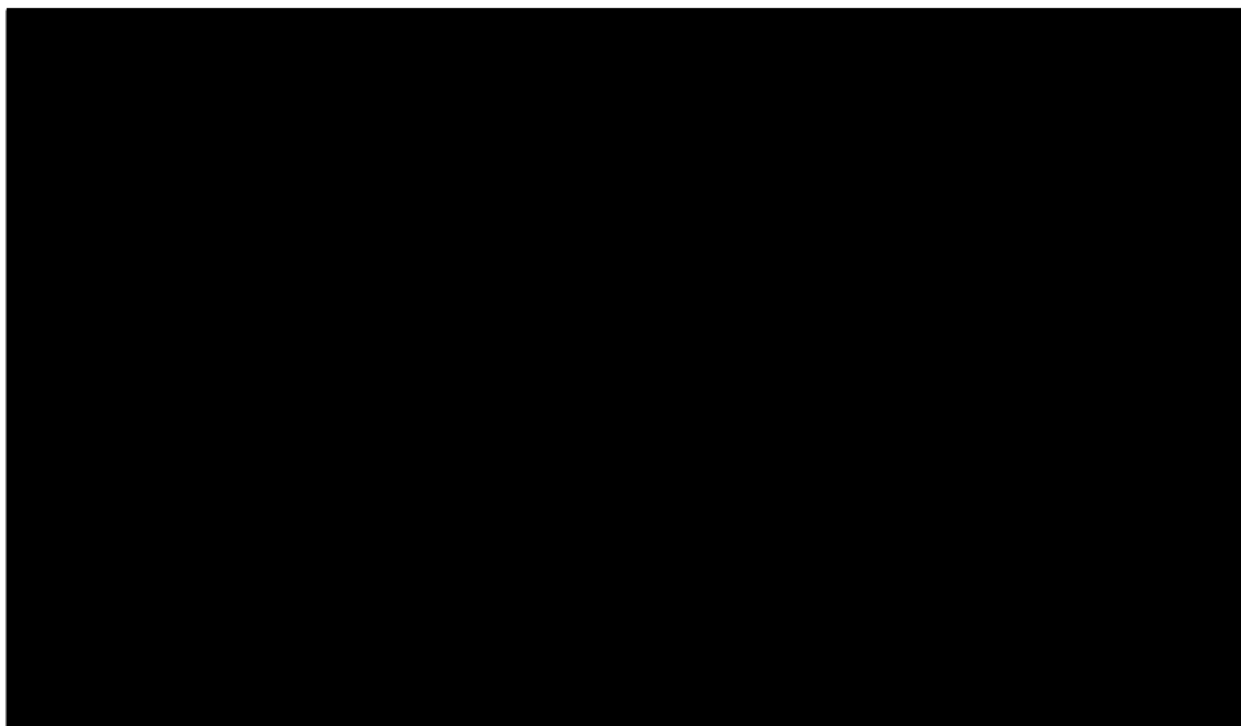
EXHIBIT 4

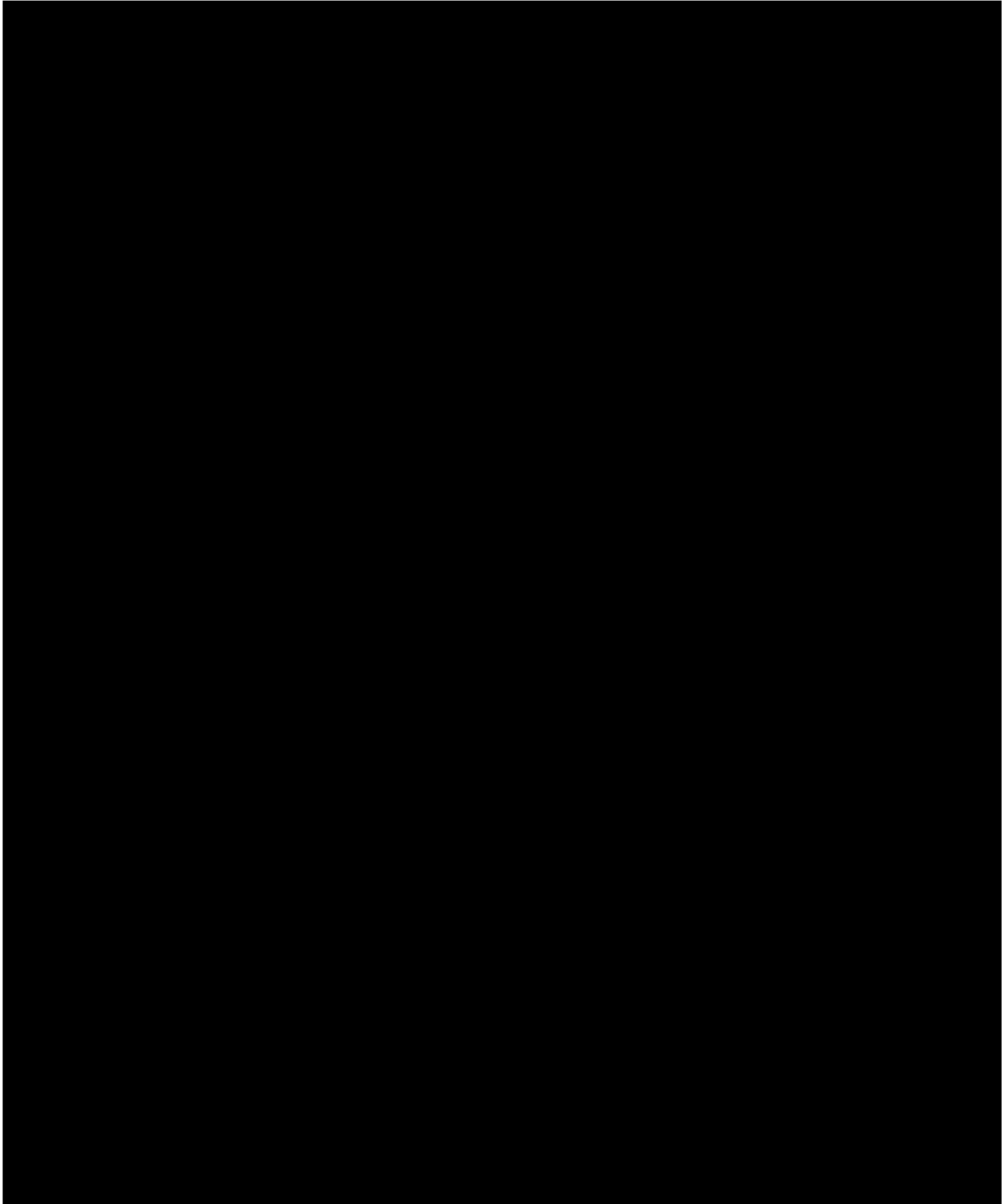
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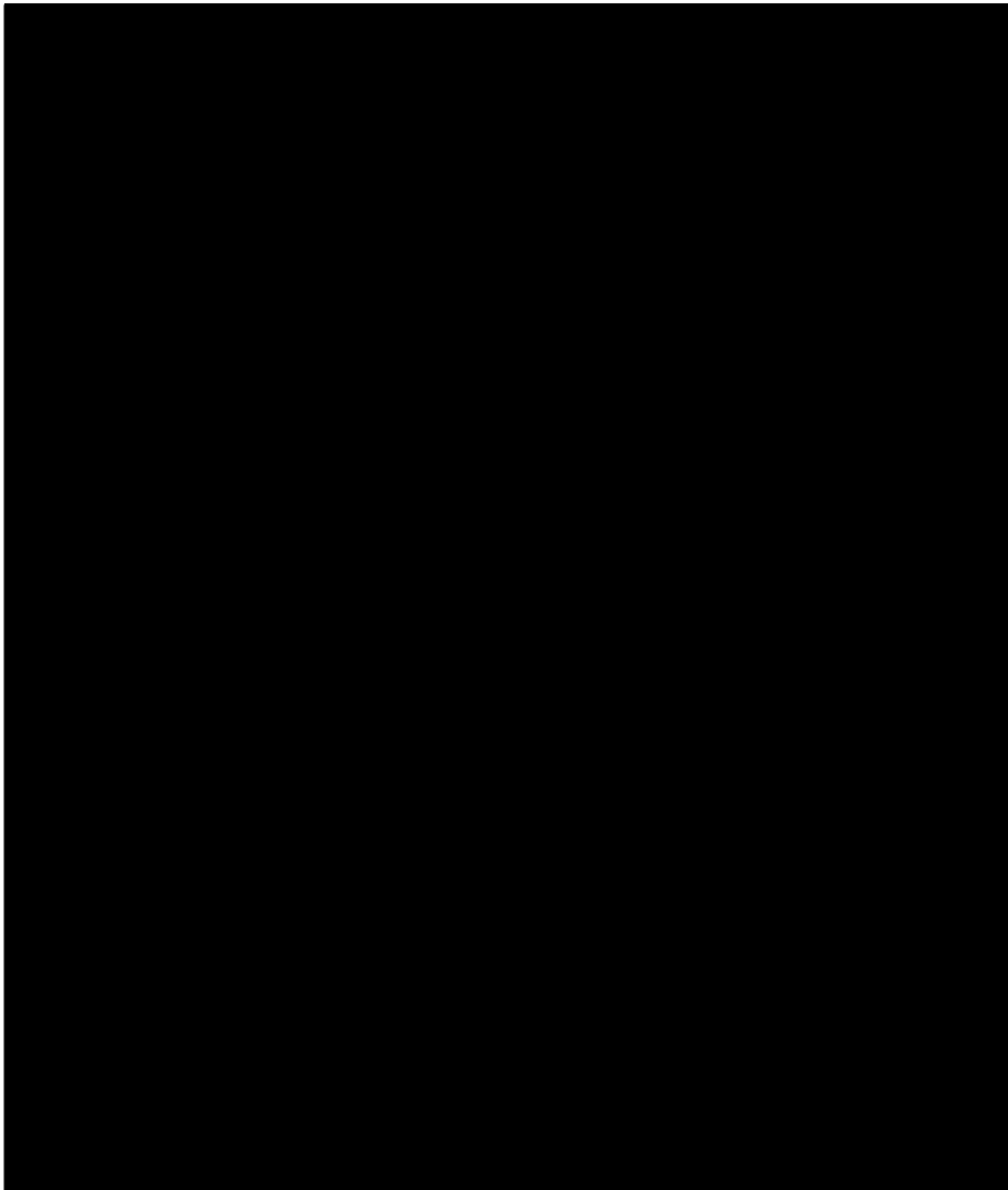
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Applicant.	:	
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**OPPOSER'S OBJECTIONS AND RESPONSES TO APPLICANT'S FIRST SET OF
INTERROGATORIES TO OPPOSER**



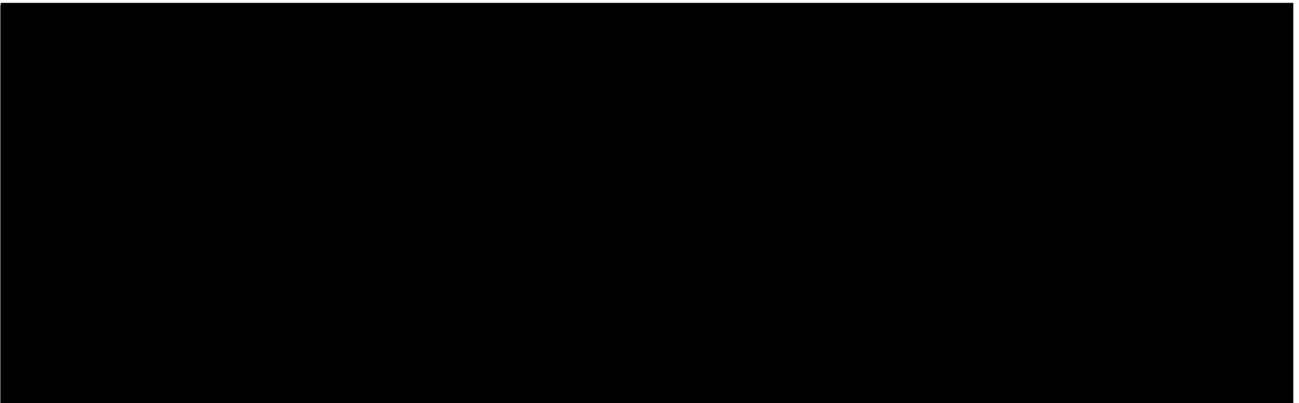




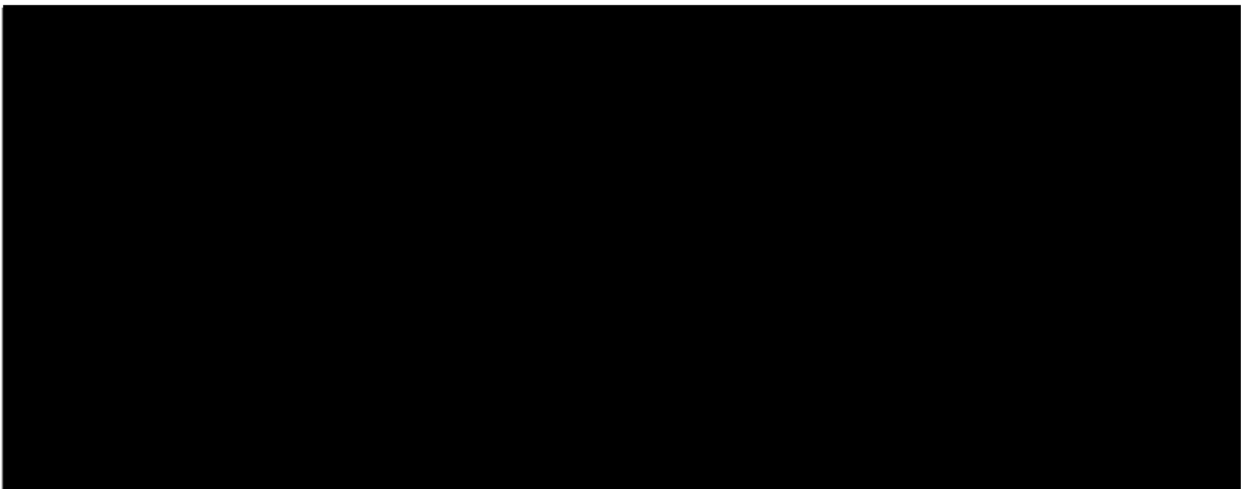


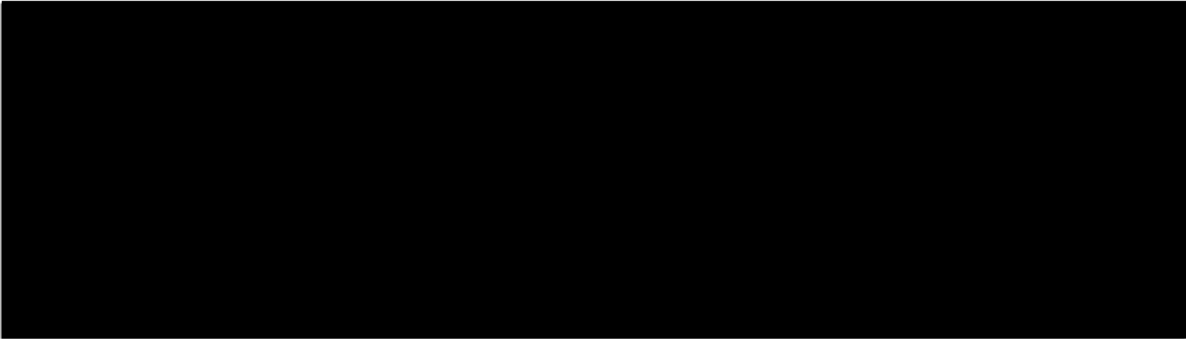
SPECIFIC OBJECTIONS AND RESPONSES

INTERROGATORY NO. 1: Identify the date(s) on which each of Opposer's Goods and Services was first offered in commerce in the United States under Opposer's Mark, and identify with specificity which of Opposer's Goods and Services was offered on such date(s).

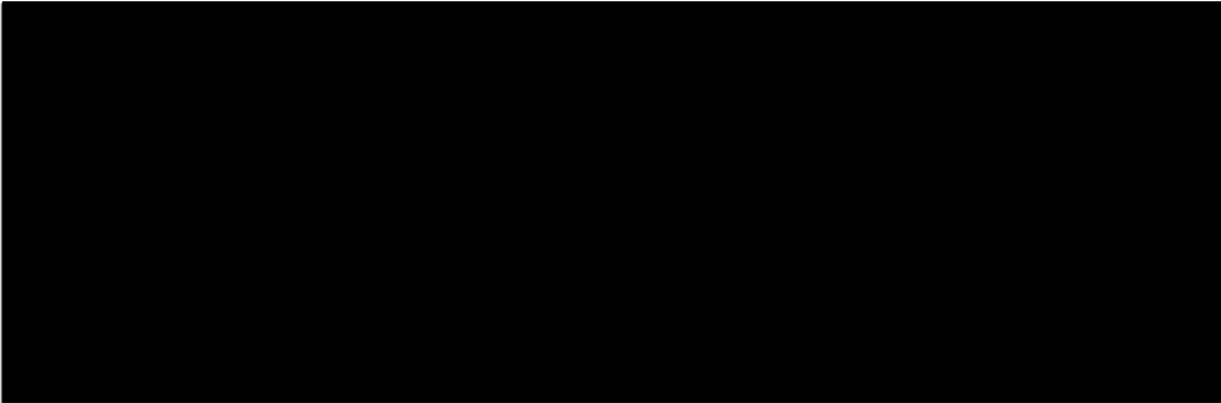


INTERROGATORY NO. 2: Identify with specificity each of the Channels of Trade through which each of Opposer's Goods and Services has been offered in commerce in the United States under Opposer's Mark.

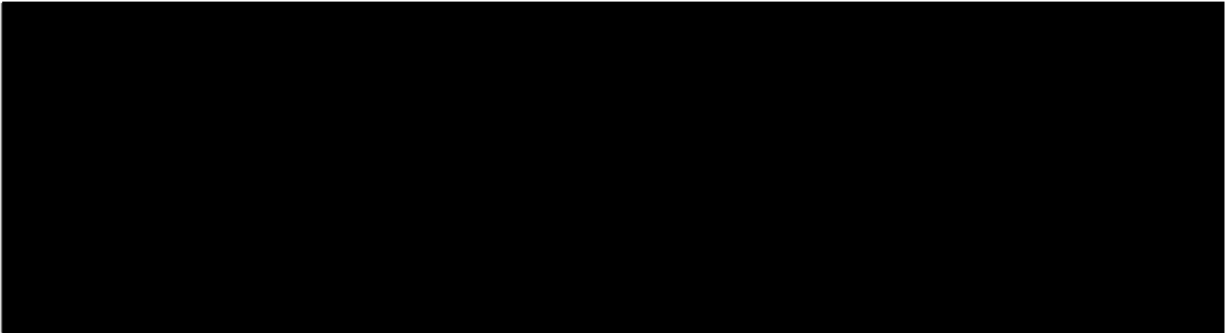




INTERROGATORY NO. 3: Identify with specificity the geographic area(s) in which each of Opposer's Goods and Services has been offered in commerce in the United States under Opposer's Mark.



INTERROGATORY NO. 4: Identify with specificity each advertising, marketing, or promotional use of Opposer's Mark directed to customers in the United States from the date of first use of Opposer's Mark to the present, including the location and distribution of each such use and the specific goods and services with which such use was made.



[REDACTED]

INTERROGATORY NO. 5: State the annual dollar amount spent to date in advertising or promoting Opposer's Mark to customers in the United States.

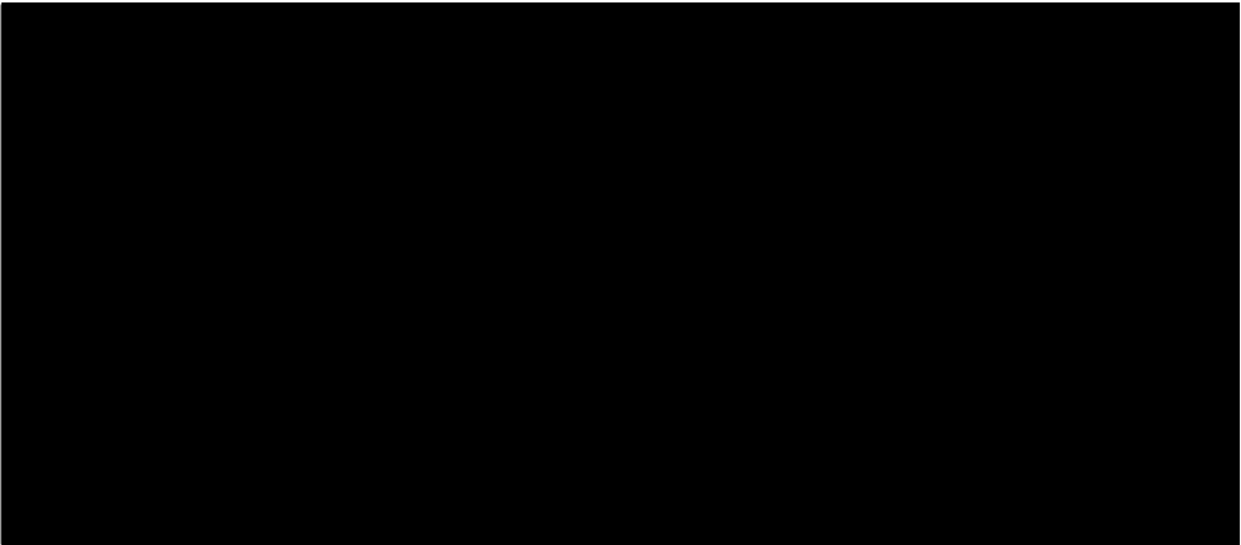
[REDACTED]

INTERROGATORY NO. 6: Identify the date(s) on which each of Opposer's Goods and Services was first sold in the United States under Opposer's Mark, and identify with specificity which of Opposer's Goods and Services was sold on such date(s).

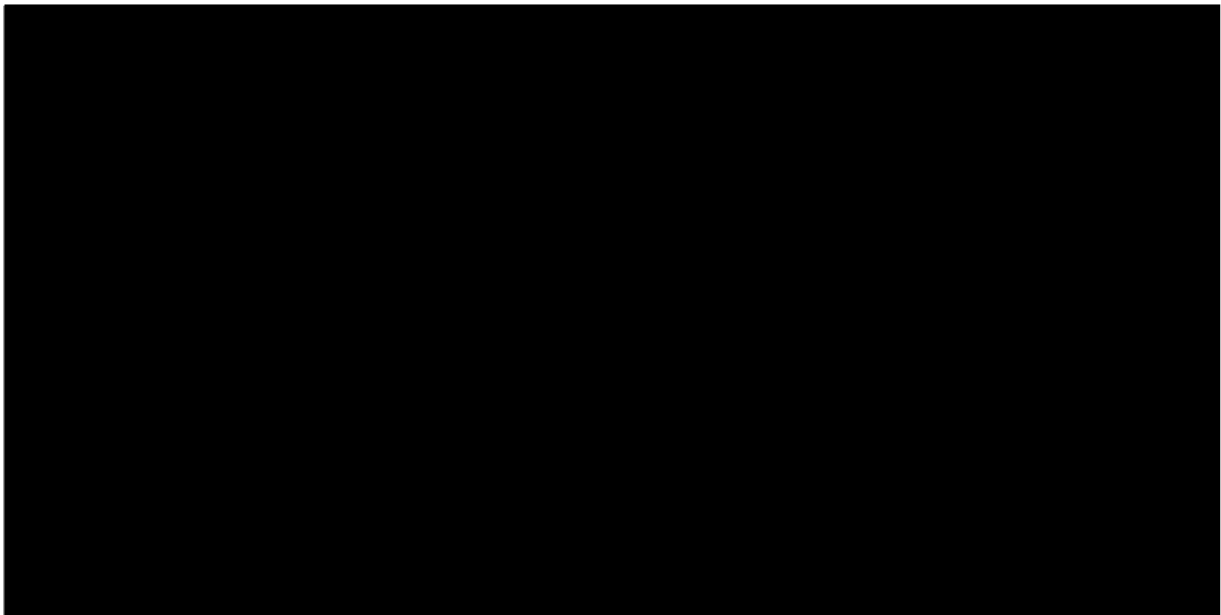
[REDACTED]

INTERROGATORY NO. 7: Identify with specificity the Channels of Trade through which each of Opposer's Goods and Services has been sold under Opposer's Mark.

[REDACTED]



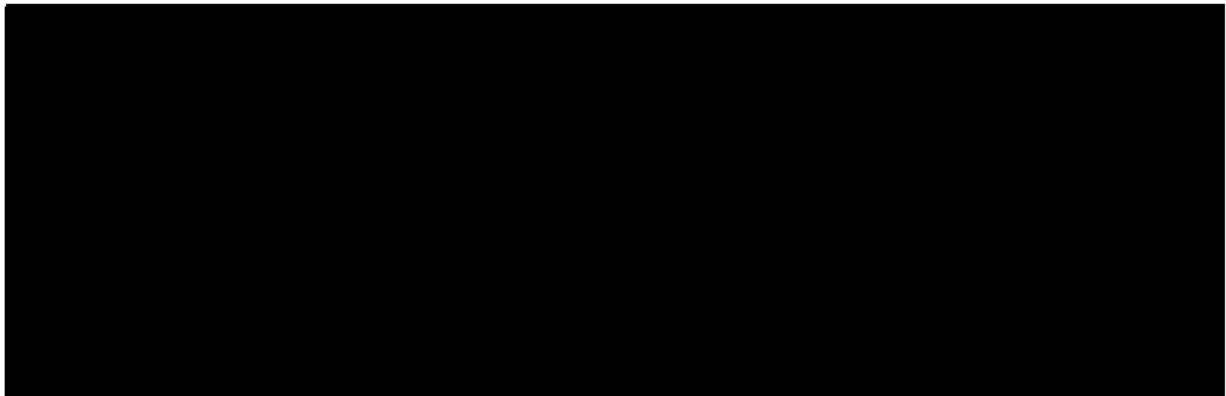
INTERROGATORY NO. 8: Identify with specificity the geographic area(s) in which each of Opposer's Goods and Services has been sold under Opposer's Mark.



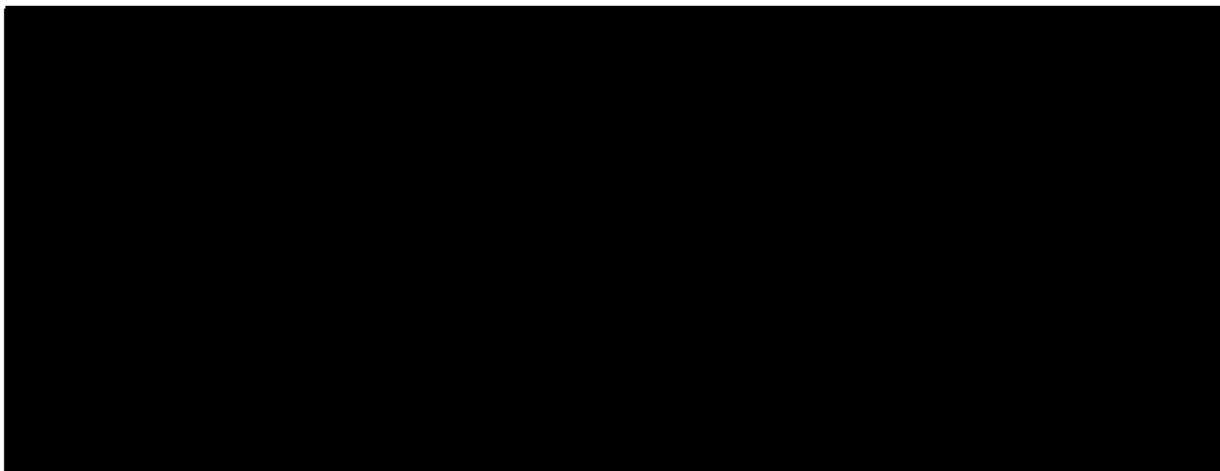
INTERROGATORY NO. 9: State the annual sales of each of Opposer's Goods and Services sold by Opposer by any licensee of Opposer under Opposer's Mark to customers in the United States in unit and dollar revenue quantities for each year from the first date each of Opposer's Goods and Services was sold under Opposer's Mark to the present.

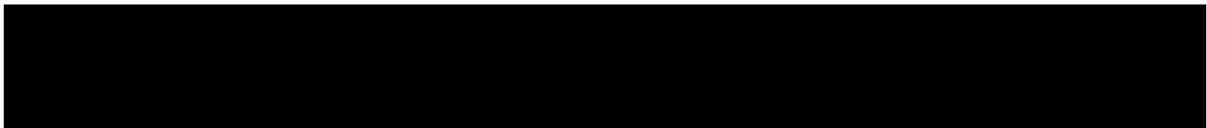


INTERROGATORY NO. 10: Identify the Person(s) most knowledgeable about the sales and/or marketing efforts in the United States concerning Opposer's Goods and Services, and state the duties and position of each individual.

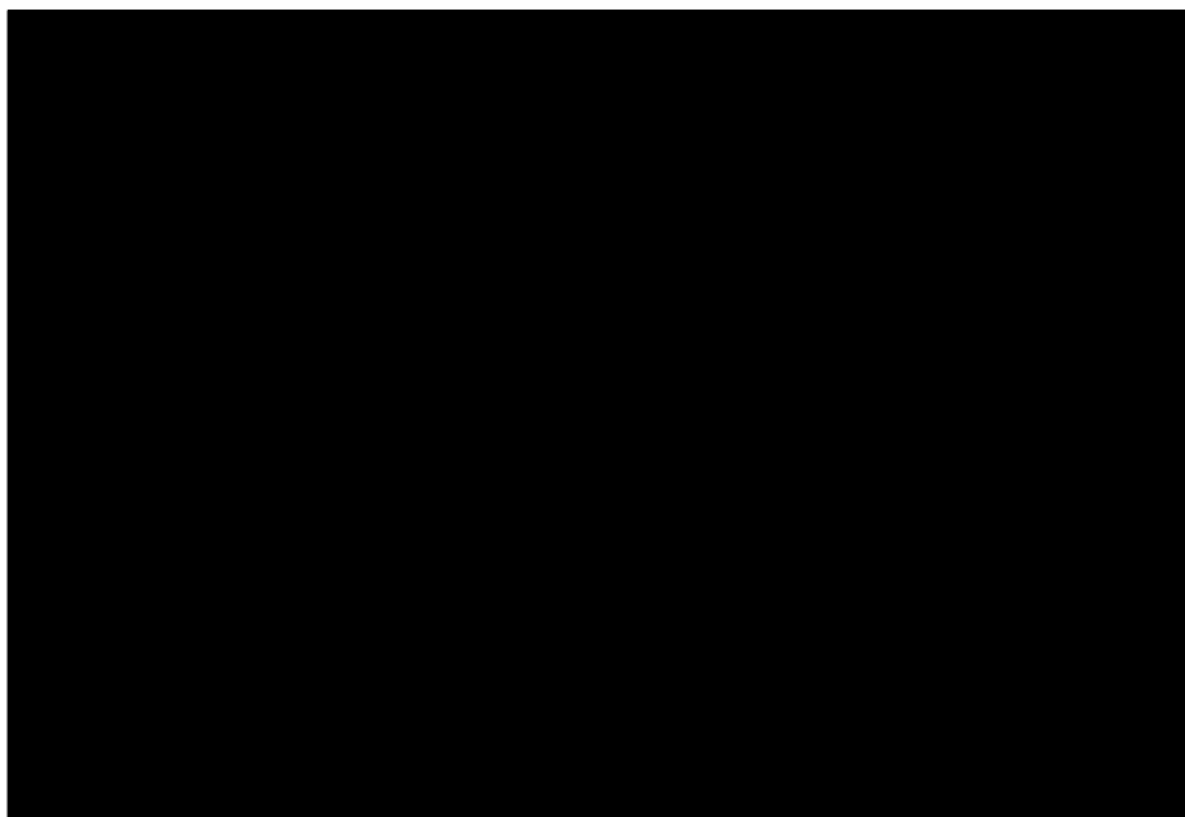


INTERROGATORY NO. 11: Identify Opposer's typical consumers and target consumers for each of Opposer's Goods and Services.

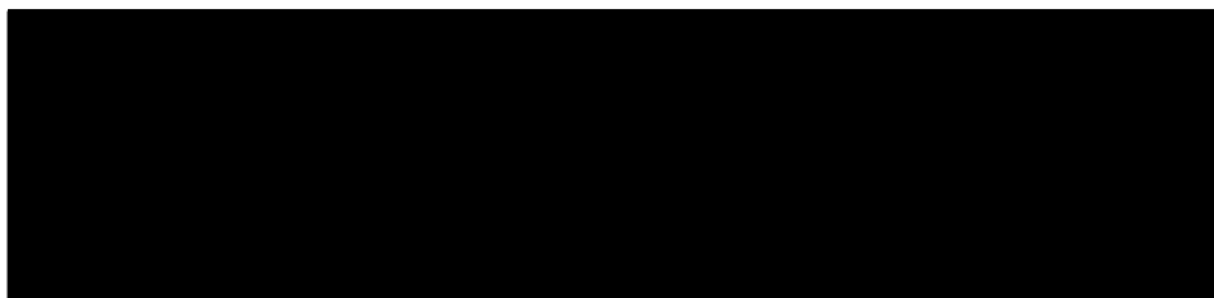




INTERROGATORY NO. 12: Describe in detail Opposer's future plans for Opposer's Mark.

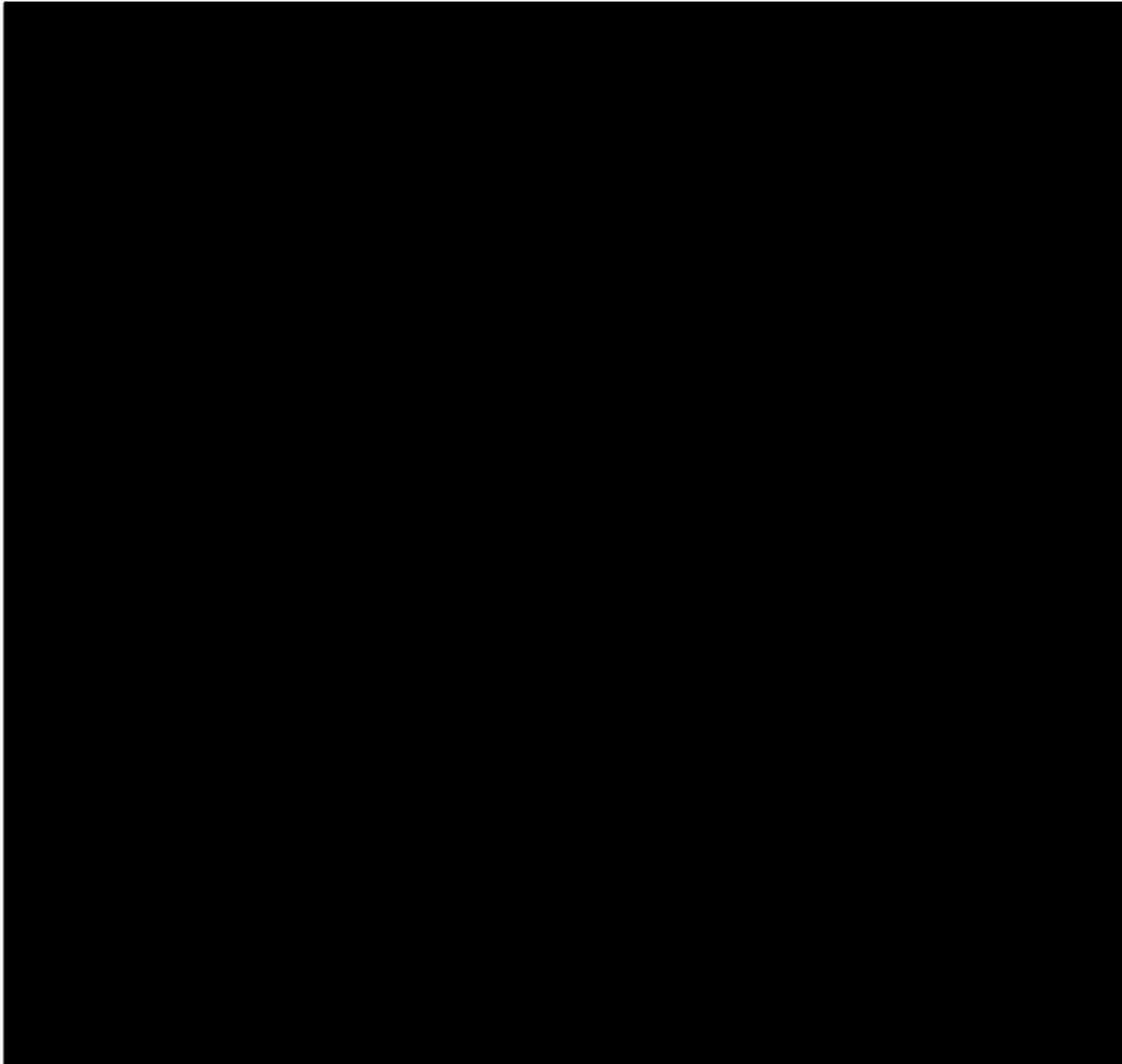


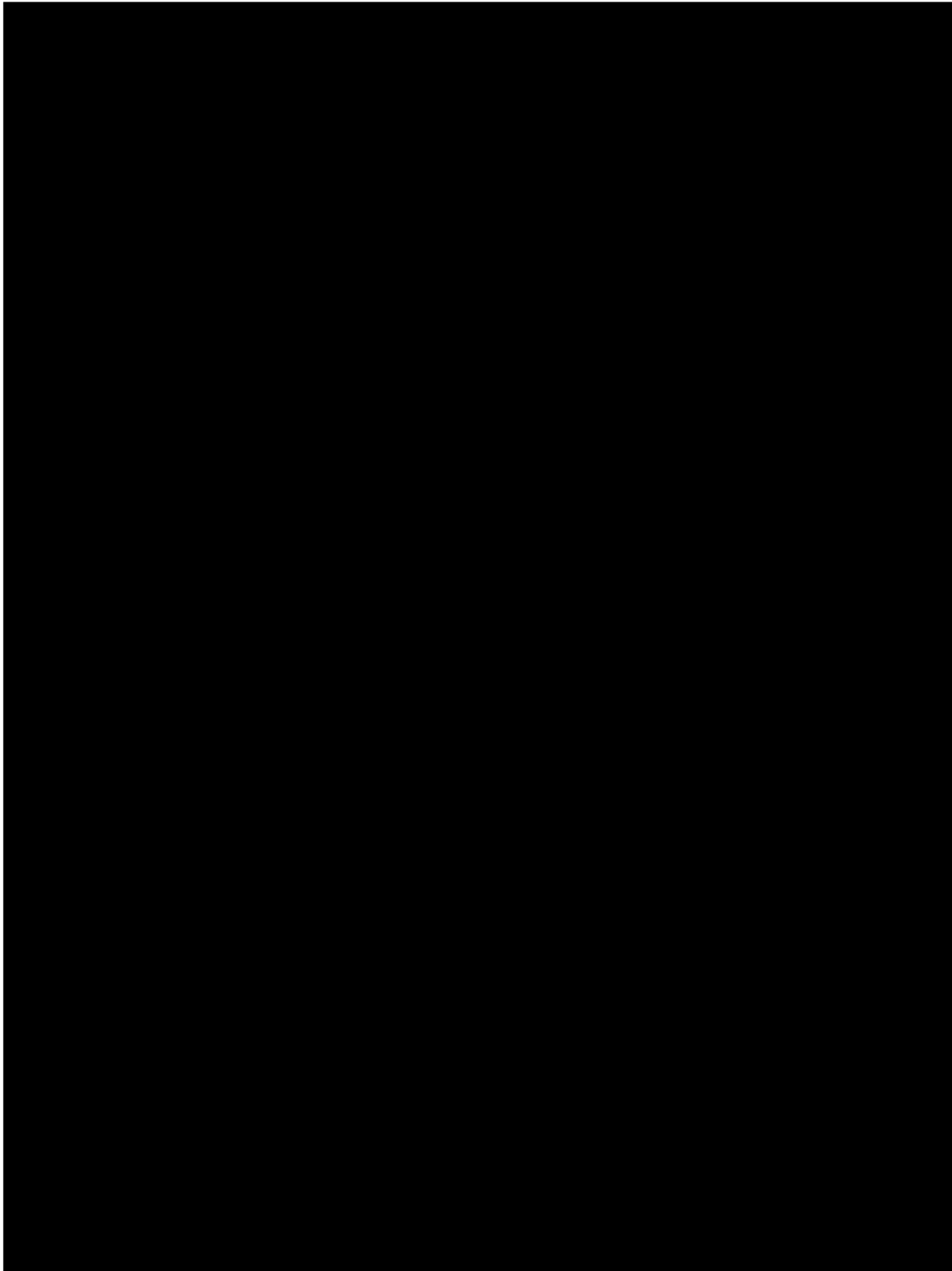
INTERROGATORY NO. 13: Identify each Person involved with or having knowledge of Opposer's use and/or intended use of Opposer's Mark in commerce in the United States, and state the duties and position of each individual.

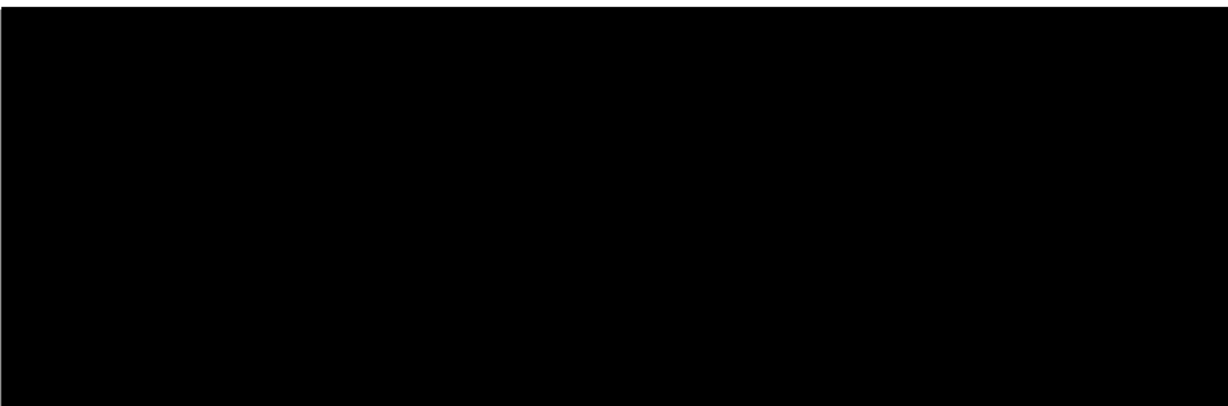




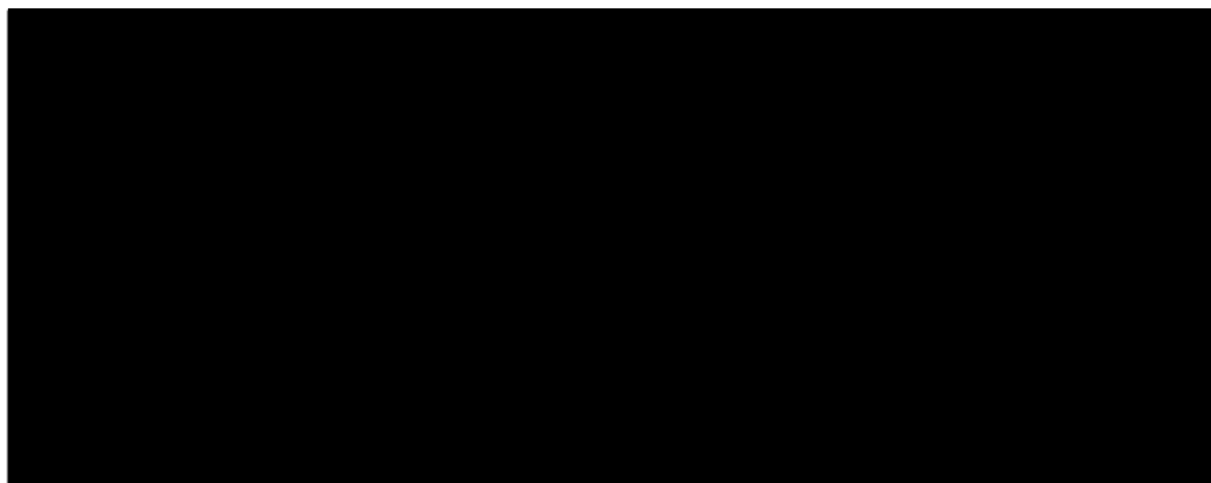
INTERROGATORY NO. 14: Identify each of Applicant's Services that Opposer contends are similar to Opposer's Goods and Services, identifying with specificity which of Opposer's Goods and Services that Opposer contends Applicant's Services are similar to.



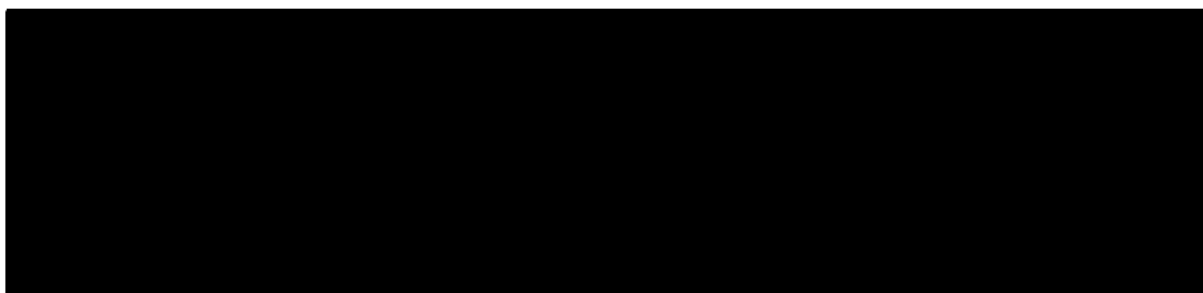


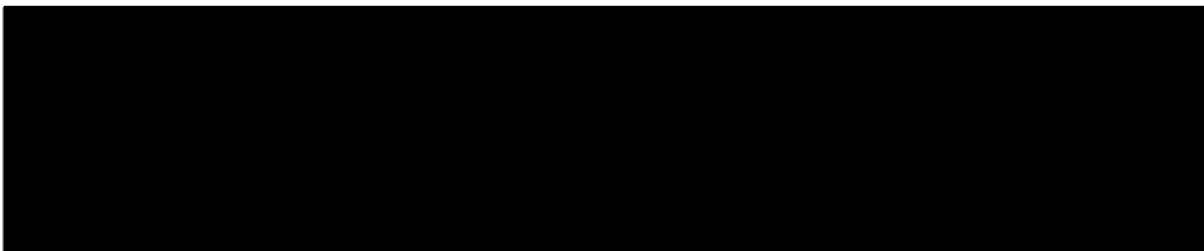


INTERROGATORY NO. 15: Identify all facts that support Opposer's allegations asserted in Paragraph 3 of Opposer's Notice of Opposition: "Opposer has marketed and sold its STORM goods and services in the United States since before Applicant's filing date."

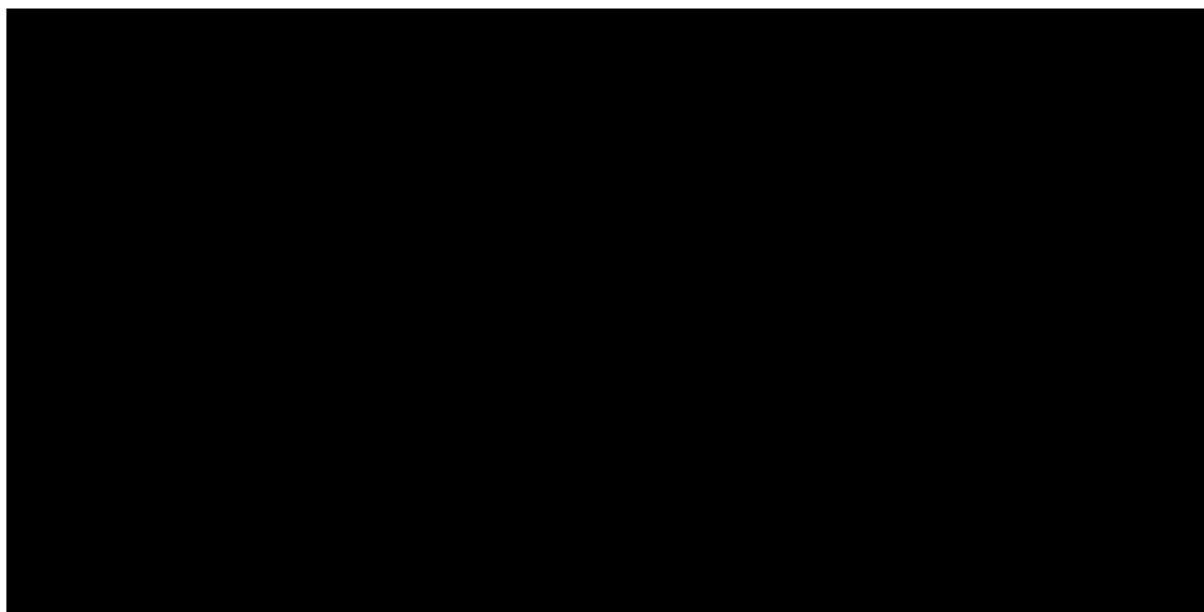


INTERROGATORY NO. 16: Describe in detail the reason(s) Opposer selected Opposer's Mark as a mark for Opposer's Goods and Services, including any meaning Opposer intended to be conveyed by the mark.

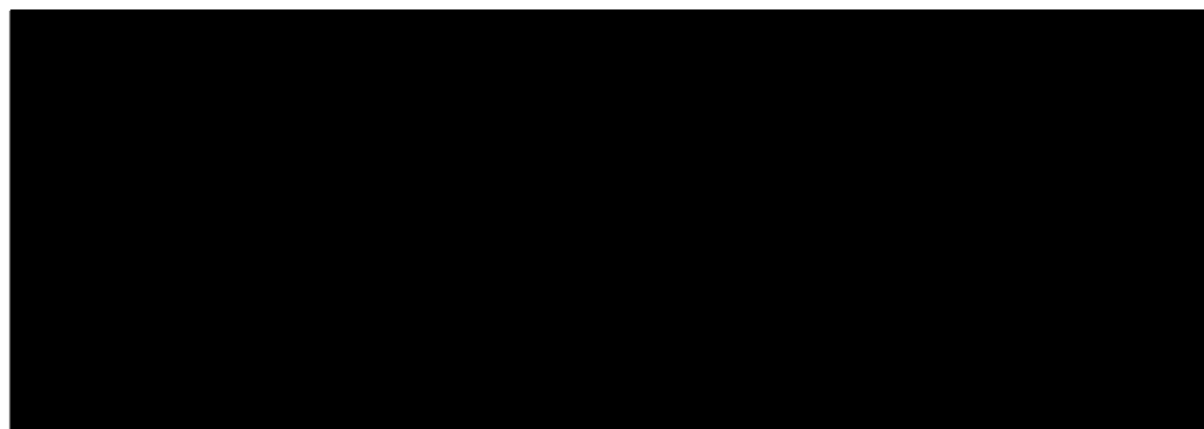


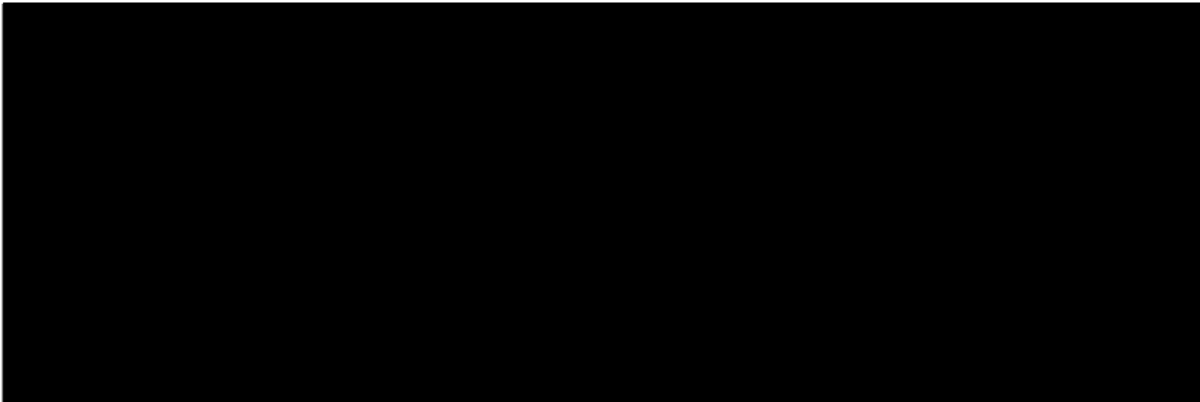


INTERROGATORY NO. 17: Identify each Person having knowledge of the selection and adoption of Opposer's Mark and describe with specificity each such Person's knowledge.

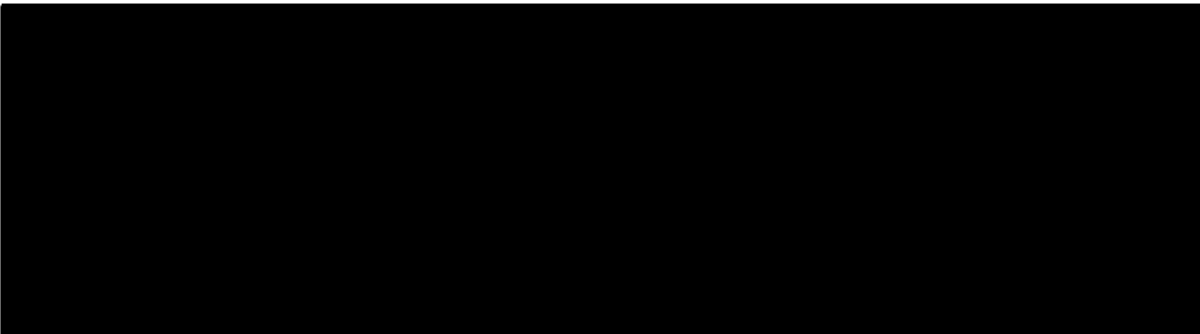


INTERROGATORY NO. 18: Identify each Person who took part in or was responsible for the preparation, execution, and filing of Opposer's Application.

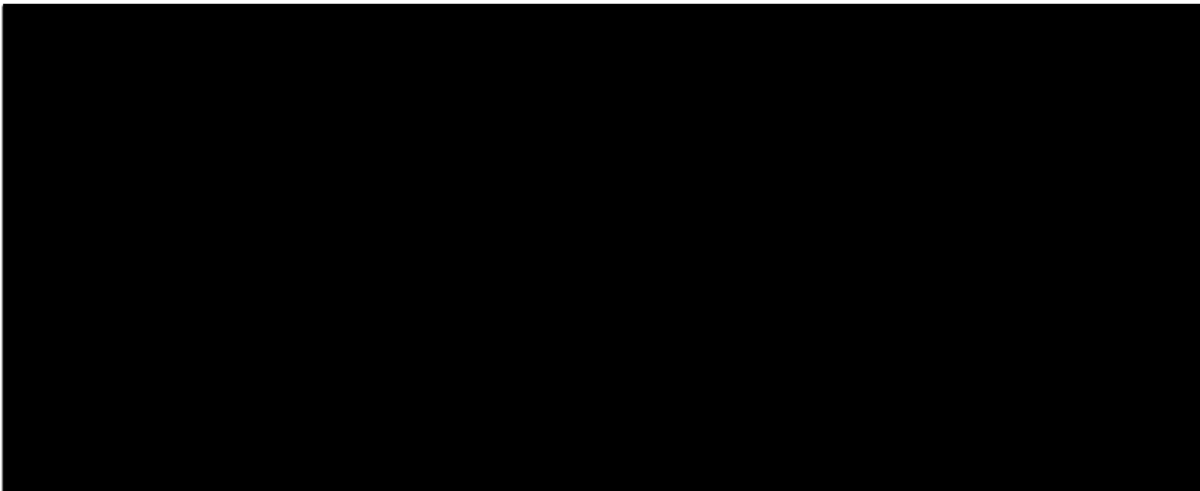




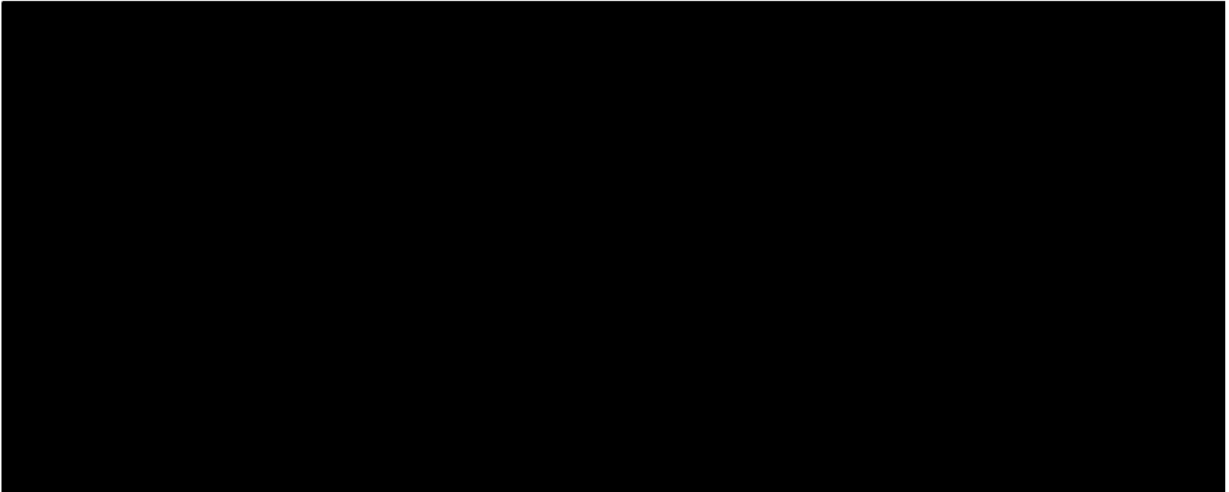
INTERROGATORY NO. 19: Identify the organizational structure of Opposer's business, including but not limited to the identity of Opposer's partners, officers, directors and/or managers.



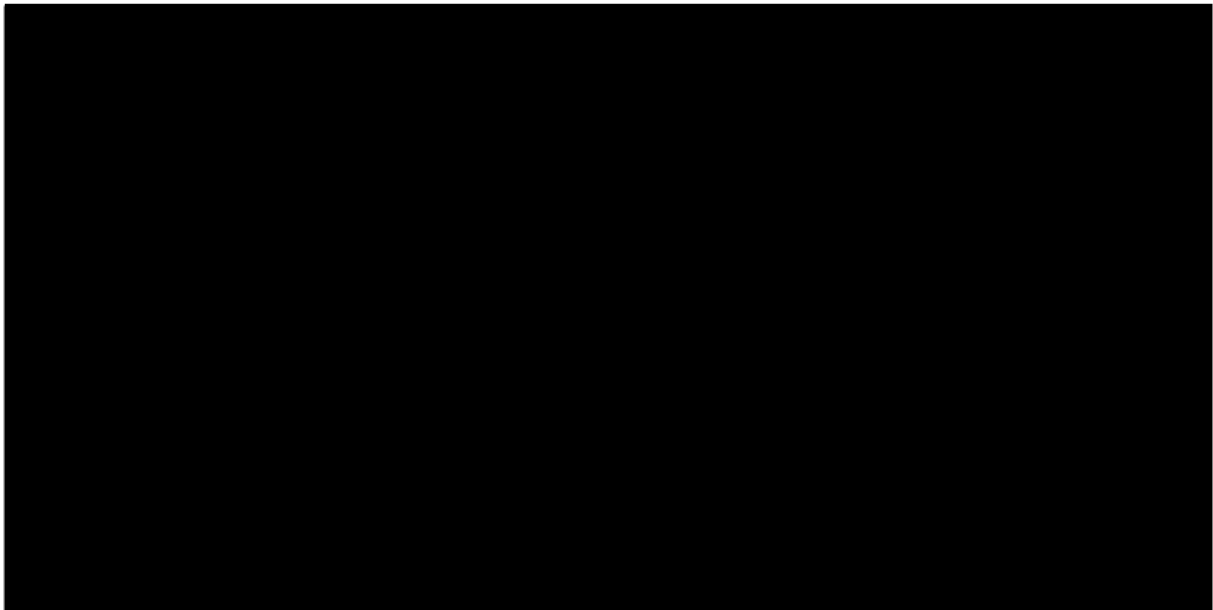
INTERROGATORY NO. 20: Identify any Person whom Opposer has ever authorized to use Opposer's Mark (whether by license, assignment, or otherwise).



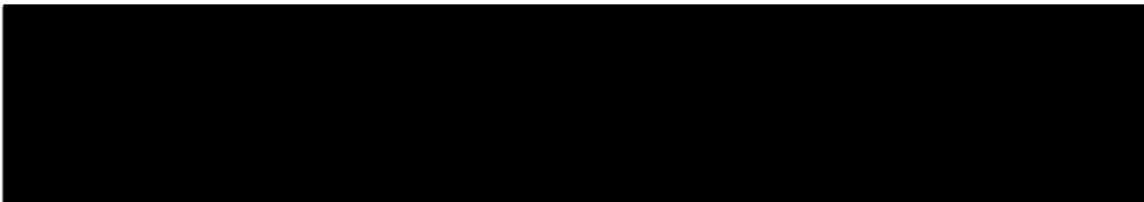
INTERROGATORY NO. 21: Identify each Third Party of which Opposer is aware that has used or is using a mark incorporating the term “STORM” in connection with computer hardware, computer software, and/or telecommunications services.



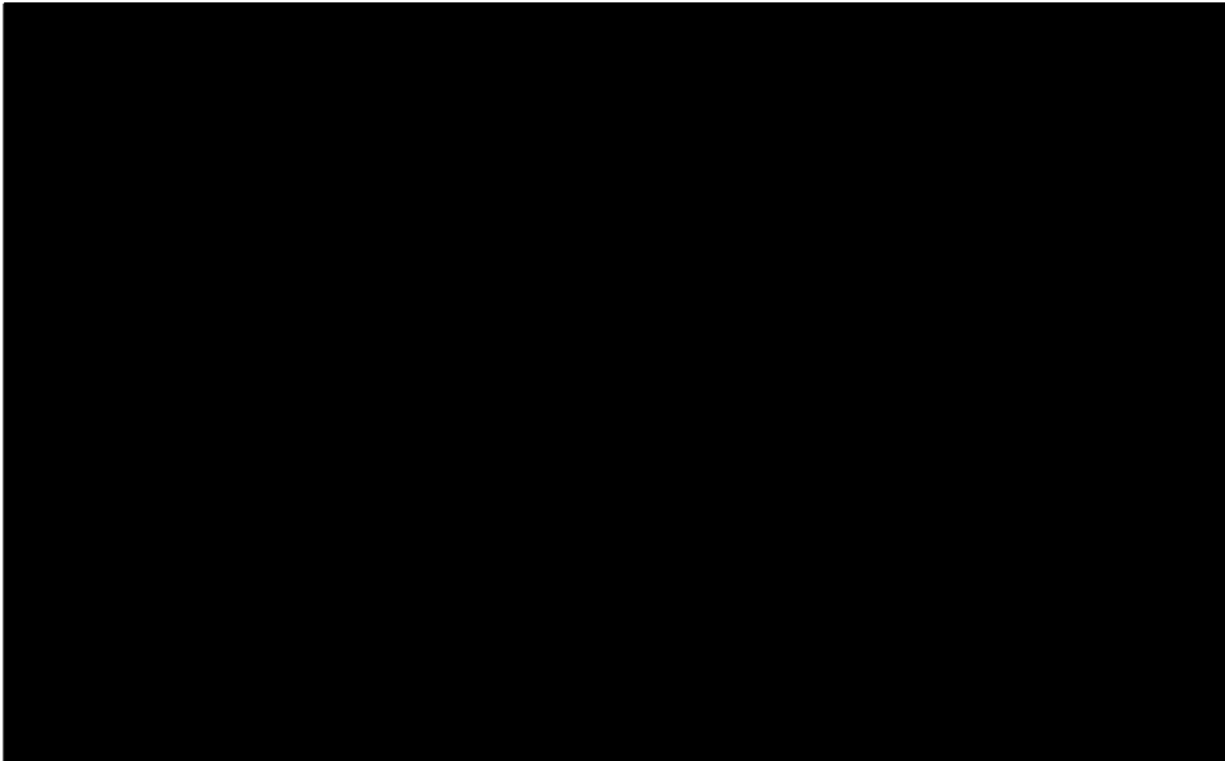
INTERROGATORY NO. 22: Identify the date and describe under what circumstances Opposer first became aware of Applicant’s Mark.



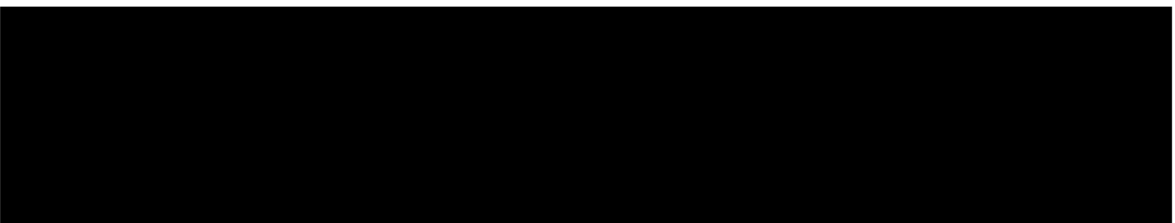
INTERROGATORY NO. 23: Identify any searches, surveys, investigations, or analyses by Opposer or on Opposer’s behalf regarding Applicant or Applicant’s Mark.

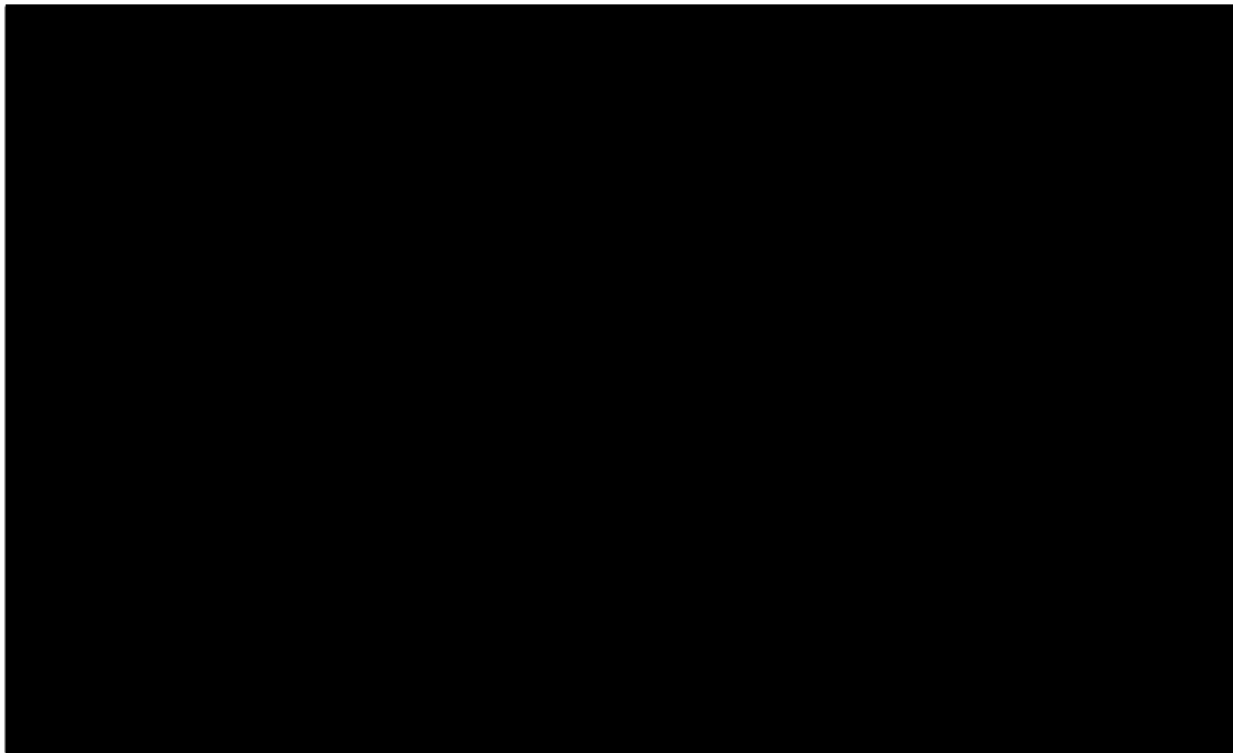


INTERROGATORY NO. 24: Identify all facts that support Opposer's allegation asserted in Paragraph 5 of Opposer's Notice of Opposition: "On information and belief, Applicant did not use its mark before July 3, 2014."

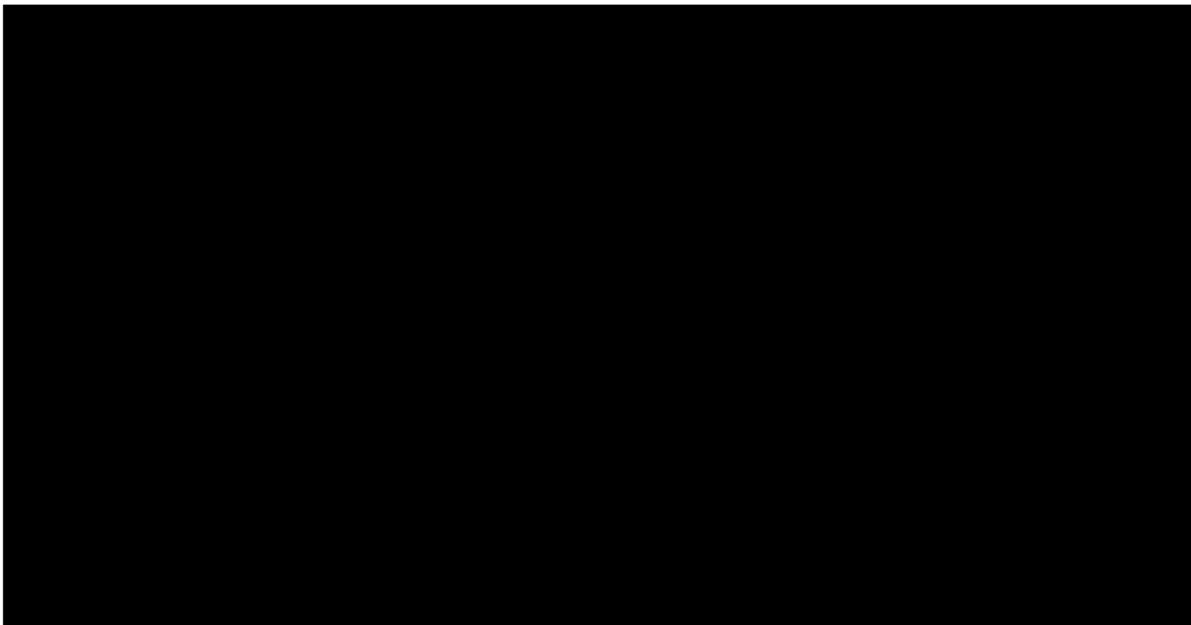


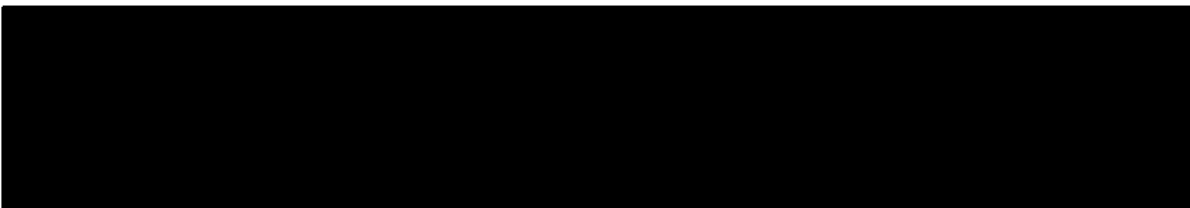
INTERROGATORY NO. 25: Describe in detail any efforts undertaken by Opposer to enforce any rights Opposer believes it has or may have in Opposer's Mark against any Person, including policing and enforcement efforts.



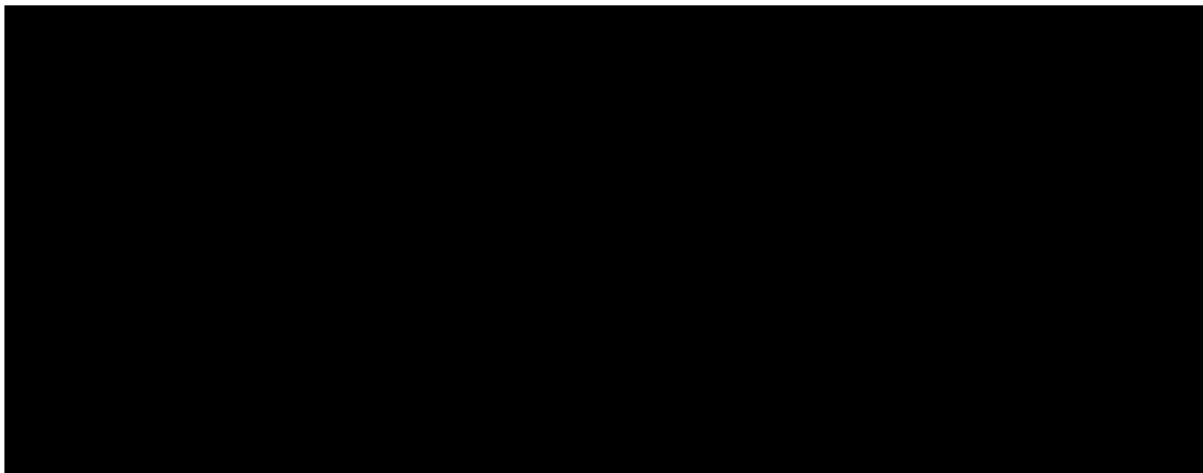


INTERROGATORY NO. 26: Identify each objection, including any legal proceeding other than the instant proceeding, involving Opposer's Mark and identify the date of such objection and describe in detail the outcome of such objection.

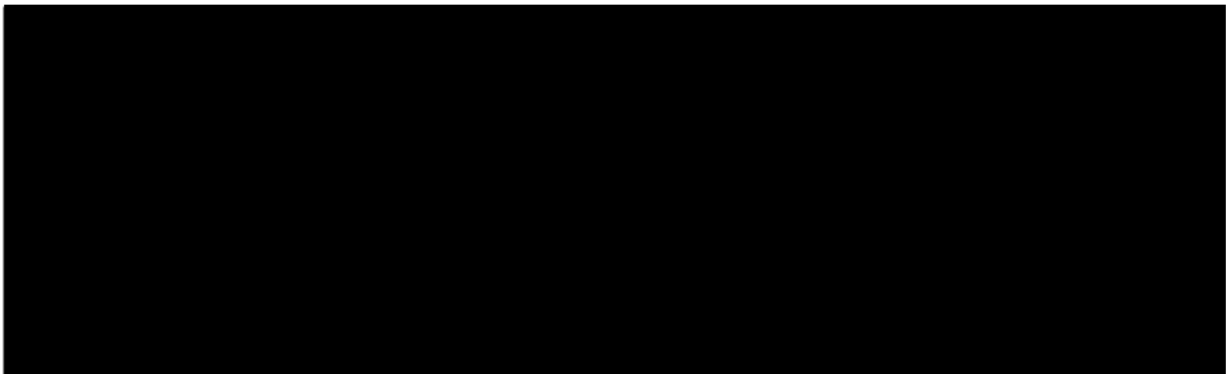




INTERROGATORY NO. 27: Identify each Person who provided information used in answering these interrogatories and identify specifically the interrogatory for which each person provided information.



INTERROGATORY NO. 28: Describe in detail each instance of which Opposer has actual or hearsay knowledge, regarding an association between Applicant, Applicant's Mark, or Applicant's Services, on the one hand, and Opposer, Opposer's Mark, or Opposer's Goods and Services, on the other hand, and identify each Person involved in having knowledge of each such instance.



[REDACTED]

Dated: December 17, 2015

Respectfully submitted as to Objections,
POTOMAC LAW GROUP, PLLC

By: 

Janet F. Satterthwaite

Elissa Brockbank Reese

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ereese@potomaclaw.com

Attorneys for Opposer Content Guru Limited

I declare under penalty of perjury that these Responses to Applicant's First Set of Interrogatories to Opposer are true and correct to the best of my knowledge and belief.

Dated: December 21st, 2015

Respectfully submitted as to Answers,
CONTENT GURU LIMITED

By: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015


-----X	:	
CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X	:	

CERTIFICATION OF SERVICE

This is to certify that a copy of the foregoing OPPOSER'S OBJECTIONS AND RESPONSES TO APPLICANT'S FIRST SET OF INTERROGATORIES TO OPPOSER has been served on Applicant by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Joseph Petersen
Kilpatrick Townsend & Stockton LLP
1080 Marsh Road
Menlo Park, California 94025
Telephone: 650.614.6427
Fax: 650.644.0570
Email: JPetersen@kiltown.com, aroach@kiltown.com, cgenteman@kiltown.com,
agarcia@kiltown.com, tadmin@kiltown.com

Dated: December 22, 2015



Elissa Brockbank Reese

EXHIBIT 5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

-----X	:	
CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X	:	

**OPPOSER’S OBJECTIONS AND RESPONSES TO APPLICANT’S FIRST SET OF
REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS TO OPPOSER**

Pursuant to 37 C.F.R. §§ 2.116 and 2.120 and Rules 26 and 34 of the Federal Rules of Civil Procedure, Opposer Content Guru Limited (“Opposer”) submits the following Objections and Responses to Applicant Twitter, Inc.’s (“Applicant’s”) First Set of Requests for Production of Documents and Things to Opposer.

GENERAL OBJECTIONS

1. Each of these General Objections is incorporated by reference into the objections made with respect to each separate Request. The inclusion of any specific objection is neither intended as, nor shall it be deemed, a waiver of any general objection or of any other specific objections made herein or that may be asserted at a later date.
2. Failure to include in these Objections and Responses a general or specific objection to a Request is neither intended as, nor shall it be deemed, a waiver of Opposer’s right to assert that or any other objection at a later date. Opposer expressly reserves the right to amend its

Objections to Applicant's First Set of Requests for Production of Documents and Things to Opposer.

3. Opposer provides the information contained in these Objections and Responses to Applicant's First Set of Requests for Production of Documents and Things to Opposer in accordance with the definitions, scope, and intent of the Federal Rules of Civil Procedure and the applicable sections of the Code of Federal Regulations. Opposer objects to Applicant's Definitions, Instructions, and Requests to the extent that they impose obligations beyond the scope of the Federal Rules of Civil Procedure and the applicable sections of the Code of Federal Regulations.

4. Opposer objects to each of the Requests in Applicant's First Set of Requests for Production of Documents and Things to Opposer to the extent that they seek information that is protected from disclosure by the attorney-client privilege, the work product doctrine, and any other statutory or common law privilege or immunity. The inadvertent disclosure of privileged information or documents by Opposer shall not constitute a waiver of any privilege, immunity, or other applicable protection.

5. Opposer objects to each of the Requests in Applicant's First Set of Requests for Production of Documents and Things to Opposer to the extent that they, or any parts thereof, are vague, ambiguous, unreasonably broad, and/or unduly burdensome, and that they, or any parts thereof, seek information that falls outside the scope of discovery under the Federal Rules of Civil Procedure and the applicable sections of the Code of Federal Regulations.

6. Opposer objects to each of the Requests in Applicant's First Set of Requests for Production of Documents and Things to Opposer to the extent that they, or any parts thereof, seek information that is outside the possession, custody, knowledge, or control of Opposer on

grounds that such Requests impose obligations beyond those prescribed by the Federal Rules of Civil Procedure and/or the applicable sections of the Code of Federal Regulations and/or are overly broad and unduly burdensome.

7. Opposer objects to each of the Requests in Applicant's First Set of Requests for Production of Documents and Things to Opposer to the extent that they, or any parts thereof, seek information solely related to issues of law or law applied to facts.

8. Opposer objects to each of the Requests in Applicant's First Set of Requests for Production of Documents and Things to Opposer to the extent that they, or any parts thereof, seek proprietary and/or confidential business information, and Opposer agrees to provide such relevant information and documents subject to, and without waiving, a Protective Order entered by the Trademark Trial and Appeal Board.

9. Opposer submits these Objections and Responses to Applicant's First Set of Requests for Production of Documents and Things to Opposer solely for the purpose of this Action and in doing so reserves all rights to object to the admissibility of such information on any proper grounds.

10. Opposer objects to each of Applicant's Requests as overly broad and unduly burdensome to the extent that they seek the production of "all documents" relating to the Request without providing clarifications or limitations as to the degree of connection between "all documents" and the requested information.

11. Opposer objects to Applicant's definition of "'Identify' or 'specify' when used in reference to a Person who is a firm, partnership, corporation, proprietorship, association, or other organization or entity" as overly broad, unduly burdensome, and beyond the scope imposed by

the Federal Rules of Civil Procedure and the applicable sections of the Code of Federal Regulations.

12. Opposer objects to Applicant's definition of "date" as overly broad and unduly burdensome.

13. Opposer objects to Instruction B as overly broad, unduly burdensome, and beyond the scope imposed by the Federal Rules of Civil Procedure and the applicable sections of the Code of Federal Regulations.

14. Opposer objects to Instruction D as overly broad, unduly burdensome, and beyond the scope imposed by the Federal Rules of Civil Procedure and the applicable sections of the Code of Federal Regulations.

SPECIFIC OBJECTIONS AND RESPONSES

1. Documents sufficient to identify and evidence the date(s) on which each of Opposer's Goods and Services was first offered in commerce in the United States under Opposer's Mark.

ANSWER: Opposer objects to this Request as Applicant's definition of "date" is unduly burdensome. Opposer further objects to the extent that this Request is duplicative and cumulative since it seeks documents sufficient to identify *and* evidence. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

2. Documents sufficient to identify each of the Channels of Trade through which each of Opposer's Goods and Services has been offered in commerce in the United States under Opposer's Mark.

ANSWER: Opposer objects to this Request as Applicant's definition for "Channels of Trade" meaning "the areas of commerce" is vague and ambiguous and the definition is otherwise overly broad and unduly burdensome. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

3. Documents sufficient to identify the geographic area(s) in which each of Opposer's Goods and Services has been offered in commerce in the United States under Opposer's Mark.

ANSWER: Opposer objects to this Request as the terms "geographic area(s)" and "offered" are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

4. Documents sufficient to show each type of advertising medium or promotional means used to promote Opposer's Goods and Services offered under Opposer's Mark.

ANSWER: Opposer objects to this Request as overly broad and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of

Opposer's Mark (the "STORM mark") in the United States. Opposer further objects as the phrases "each type of advertising medium" and "promotional means" are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

5. Representative samples of each different newspaper, magazine, Internet, radio, television, or other media article or story concerning Opposer's Mark.

ANSWER: Opposer objects to this Request to the extent that it seeks documents that are outside Opposer's possession, custody, and/or control. Opposer further objects to this Request to the extent that it is outside the scope of discoverable information as it seeks samples of each different article or story concerning Opposer's STORM mark. And, Opposer objects to this Request as the terms "representative samples," "article" and "story" are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

6. Documents sufficient to identify each and every website or web page on which Opposer's Mark has appeared.

ANSWER: Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks documents that are outside Opposer's possession, knowledge, custody, and/or control. Opposer further objects to this Request as overly broad, unduly burdensome, and beyond the scope of discoverable information as it seeks identification of "each and every"

website or web page where Opposer's STORM mark has appeared. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged representative samples within its possession, custody, or control if any exist.

7. CD-ROMS (or other electronically stored material) sufficient to enable Applicant to view the use of Opposer's Mark on each and every website or web page on which Opposer's Mark has appeared.

ANSWER: Opposer objects to this Request as it is vague and ambiguous and duplicative of Request No. 6. Opposer also objects to this Request as overly broad and unduly burdensome to the extent that it seeks documents that are outside Opposer's possession, knowledge, custody, and/or control. Opposer further objects to this Request as overly broad, unduly burdensome, and beyond the scope of discoverable information as it relies on the Request seeking identification of "each and every" website or web page where Opposer's STORM mark has appeared. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged representative samples within its possession, custody, or control if any exist.

8. Documents sufficient to identify the annual dollar amount spent to date in advertising or promoting Opposer's Mark to customers in the United States from the date of first use of Opposer's Mark until present.

ANSWER: Opposer objects to this Request as the phrases "annual dollar amount spent to date" and "to customers in the United States" are vague and ambiguous. Opposer further objects

to this Request as overly broad, unduly burdensome, and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer also objects to the term "date of first use of Opposer's Mark" to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

9. Documents sufficient to identify and evidence the date(s) on which each of Opposer's Goods and Services was first sold in the United States under Opposer's Mark.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No.

1. Opposer further objects to this Request as Applicant's definition of "date" is unduly burdensome. Opposer also objects to the extent that this Request is duplicative and cumulative since it seeks documents sufficient to identify *and* evidence. Opposer additionally objects to this Request as the term "each of Opposer's Goods and Services" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

10. Documents sufficient to identify each of the Channels of Trade through which each of Opposer's Goods and Services has been sold under Opposer's Mark.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No.

2. Opposer further objects to this Interrogatory as overly broad and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer also objects to this Request as Applicant's definition for "Channels of Trade" meaning "the areas of commerce" is vague and ambiguous and the definition is otherwise overly broad and unduly burdensome. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

11. Documents sufficient to identify the geographic area(s) in which each of Opposer's Goods and Services has been sold under Opposer's Mark.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No.

3. Opposer further objects to this Request as overly broad and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer also objects as the term "geographic area(s)" is vague and ambiguous. And, Opposer objects to this Request as the geographic location of the sale of Opposer's Goods and Services is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

12. Documents sufficient to identify the annual sales of each of Opposer's Goods and Services sold by Opposer under Opposer's Mark to customers in the United States in unit and

dollar revenue quantities for each year from the first date Opposer's Goods and Services were sold under Opposer's Mark to the present.

ANSWER: Opposer objects to this Request as the phrases "annual sales" and "unit and dollar revenue quantities" are vague and ambiguous. Opposer further objects to this Request as overly broad, unduly burdensome, and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States.

Opposer also objects to the phrase "the first date Opposer's Goods and Services were sold" to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

13. Documents sufficient to identify the annual sales of each of Opposer's Goods and Services sold by any licensee of Opposer under Opposer's Mark to customers in the United States in unit and dollar revenue quantities for each year from the first date Opposer's Goods and Services were sold under Opposer's Mark to the present.

ANSWER: Opposer objects to this Request as the phrases "annual sales," "any licensee," and "unit and dollar revenue quantities" are vague and ambiguous. Opposer further objects to this Request as overly broad, unduly burdensome, and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer also objects to the phrase "the first date Opposer's Goods and Services were sold" to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Subject to, and without waiving, any of the foregoing Specific or

General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

14. A representative sample of each of the Goods and Services that has been offered, sold, or advertised in connection with Opposer's Mark in the United States and documents sufficient to identify the Channels of Trade through which each such product or service has been offered or advertised.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request Nos. 2 and 10. Opposer further objects to this Request as overly broad and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer also objects to this Request as Applicant's definition for "Channels of Trade" meaning "the areas of commerce" is vague and ambiguous and the definition is otherwise overly broad and unduly burdensome. And, Opposer objects to this Request as unduly burdensome and outside the scope of discoverable information to the extent that it requests a customizable good and service offered by Opposer to be used in conjunction with a client's business infrastructure. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged representative sample(s) within its possession, custody, or control if any exist.

15. All Documents that support, refute, or tend to support or refute Opposer's allegations in Paragraph 3 of its Notice of Opposition: "Opposer has marketed and sold its

STORM goods and services in the United States since before Applicant's filing date."

ANSWER: Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request as the phrase "tend[s] to support or refute" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

16. All Documents concerning the intended customers, purchasers, or end users, or persons who are or may be expected to be customers, purchasers, or end users, of Opposer's Services, including, but not limited to, any research or studies related to such purchasers or users.

ANSWER: Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request as the terms "intended," "expected to be," "research," and "studies" are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

17. Documents sufficient to demonstrate and evidence all planned use of Opposer's

Mark in connection with Opposer's Goods and Services from the date of first use of Opposer's Mark to the present.

ANSWER: Opposer objects to this Request as overly broad and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer further objects to this Request to the extent that it seeks information that is not within Opposer's current knowledge. Opposer also objects to the term "date of first use of Opposer's Mark" to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer additionally objects to the extent that this Request is duplicative and cumulative since it seeks documents sufficient to demonstrate *and* evidence. And, Opposer objects to this Request as the term "all planned use" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

18. All Documents concerning Opposer's plans to begin offering or advertising each of Opposer's Goods and Services with which Opposer's Mark has not yet been used in the United States.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No. 17. Opposer further objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer also objects to this Request as overly broad and outside the scope of

discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

19. Documents sufficient to identify each of the Channels of Trade through which Opposer intends to offer or distribute Opposer's Goods and Services under Opposer's Mark.

ANSWER: Opposer objects to this Request as overly broad and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer's use of its STORM mark in the United States. Opposer also objects to this Request as Applicant's definition for "Channels of Trade" meaning "the areas of commerce" is vague and ambiguous and the definition is otherwise overly broad and unduly burdensome. Opposer further objects to this Request as the term "intends" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

20. All Documents concerning any business, franchise, or marketing plans concerning any actual and/or planned use of Opposer's Mark in the United States.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request Nos. 17 and 18. Opposer further objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient

clarifications or limitations as to the degree of connection between “all documents” and the requested information. Opposer also objects as the terms “business, franchise, or marketing plans” are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties’ coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

21. All Documents concerning any applications filed to register Opposer’s Mark for any goods or services.

ANSWER: Opposer objects to this Request as overly broad and outside the scope of discoverable information to the extent that it seeks information not relevant to Opposer’s use and/or registration of its STORM mark in the United States. Opposer further objects to this Request as the term “any applications” is vague and ambiguous. Opposer also objects to this Request as overly broad and unduly burdensome to the extent that it seeks “all documents” responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between “all documents” and the requested information. Opposer additionally objects to this Request as it seeks documents that are available on the public record, including, *inter alia*, the U.S. Patent and Trademark Office’s website. And, Opposer objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties’ coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-

privileged documents within its possession, custody, or control if any exist.

22. All Documents concerning the creation, development, selection, design, or adoption of Opposer's Mark, including but not limited to any trademark searches, investigations, market research or studies, written opinions or reports, artwork, sketches, drafts, drawings, or images.

ANSWER: Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request as the term "development" is vague and ambiguous. Opposer also objects to this Request to the extent that it seeks documents that are outside Opposer's possession, custody, and/or control. And, Opposer objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

23. Documents sufficient to identify the organizational structure of Opposer's business, including but not limited to the identity of Opposer's partners, officers, directors and/or managers.

ANSWER: Subject to, and without waiving, any of the foregoing General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of

documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

24. All Documents concerning any licenses, assignments, or other agreements concerning Opposer's Mark.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No.

20. Opposer further objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer also objects to this Request as the term "other agreements concerning Opposer's Mark" is vague and ambiguous. And, Opposer objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

25. All Documents concerning any permission given by Opposer to any Third Party to use Opposer's Mark.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No.

24. Opposer further objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer also objects to this Request as the term "permission" is vague and

ambiguous. And, Opposer objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

26. Documents sufficient to identify each Third Party of which Opposer is aware that has used or is using a mark incorporating the term "STORM" in connection with computer hardware.

ANSWER: Opposer objects to this Request to the extent that it seeks documents that are outside Opposer's possession, custody, and/or control. Opposer further objects as the term "computer hardware" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

27. Documents sufficient to identify each Third Party of which Opposer is aware that has used or is using a mark incorporating the term "STORM" in connection with computer software.

ANSWER: Opposer objects to this Request to the extent that it seeks documents that are outside Opposer's possession, custody, and/or control. Opposer further objects as the term "computer software" is vague and ambiguous. Subject to, and without waiving, any of the

foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

28. Documents sufficient to identify each Third Party of which Opposer is aware that has used or is using a mark incorporating the term "STORM" in connection with telecommunications services.

ANSWER: Opposer objects to this Request to the extent that it seeks documents that are outside Opposer's possession, custody, and/or control. Opposer further objects as the term "telecommunications services" is vague and ambiguous. Opposer also objects to this Request as overly broad, unduly burdensome, and outside the scope of discoverable information to the extent that it seeks information not relevant to trademark use in the United States. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

29. All Documents concerning any public opinion poll, study, survey, market research, or other analysis conducted, caused, or proposed to be conducted by or for Opposer with respect to Opposer's Mark.

ANSWER: Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request to the extent that it seeks the

disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. And, Opposer objects to this Request as the terms “public opinion poll,” “study,” “survey,” “market research,” “other analysis,” and “proposed to be conducted” are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties’ coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

30. All Documents relating to any searches, surveys, investigations, analyses, or studies by Opposer or on Opposer’s behalf regarding Applicant, Applicant’s Mark, or Applicant’s operations.

ANSWER: Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks “all documents” responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between “all documents” and the requested information. Opposer further objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. And, Opposer objects to this Request as the terms “searches,” “surveys,” “investigations,” “analyses,” and “studies” are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties’ coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

31. All Documents concerning any inquiry, complaint, or other communication concerning the qualities, advantages, or lack of quality of Opposer's Goods and Services offered in connection with Opposer's Mark.

ANSWER: Opposer objects to this Request as overly broad, unduly burdensome, and outside the scope of discoverable information for a number of reasons, including, but not limited to, that it seeks information not relevant to Opposer's use of its STORM mark in the United States.

Opposer also objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

32. All Documents that that support, refute, or tend to support or refute Opposer's allegation asserted in Paragraph 5 of Opposer's Notice of Opposition: "On information and belief, Applicant did not use its mark before July 3, 2014."

ANSWER: Opposer objects to this Request as it seeks documents that are in the public record and in Applicant's possession, custody, and/or control. Opposer also objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant

to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

33. All Documents concerning any efforts undertaken by Opposer to enforce any rights Opposer believes it has or may have in Opposer's Mark against any Person.

ANSWER: Opposer objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Opposer also objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request as the phrase "any efforts undertaken" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

34. All Documents concerning any objection, including any legal proceeding other than the instant proceeding, involving Opposer's Mark.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No. 33. Opposer also objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request to the extent that it seeks the disclosure of

documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

35. All Documents concerning Applicant, Applicant's Services, and/or Applicant's Mark.

ANSWER: Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

36. Documents concerning any communication, suggestion, or inquiry concerning an association, connection, or affiliation between Applicant, Applicant's Services, or Applicant's Mark on the one hand, and Opposer, Opposer's Goods and Services, or Opposer's Mark on the other hand, including but not limited to any question, inquiry, statement, or belief by any person concerning a possible relationship, affiliation, connection, or sponsorship between Opposer and

Applicant, Opposer's Mark and Applicant's Mark, or Opposer's Goods and Services and Applicant's Services. For illustrative purposes only and without limiting the foregoing, such instances would include misdirected inquiries, orders, cancellations or returns; misassumptions as to source or origin; and comments, complaints, or expressions by any person indicating an assumption or belief as to association or connection.

ANSWER: Opposer objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

37. Documents concerning any investigations, surveys, or inquiries that Applicant has conducted and/or had conducted on its behalf concerning whether there is or may be any likelihood of confusion between Opposer's Mark and Applicant's Mark.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No. 29. Opposer further objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Opposer also objects to this Request as the terms "investigations" and "inquiries" are vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the deadlines for expert disclosures and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession,

custody, or control if any exist.

38. All Documents concerning opinions of any experts engaged by Opposer in this matter, including drafts of the same, communications with such expert, and documents relied on by the expert for the opinions, whether or not such expert will actually testify in this matter.

ANSWER: Opposer objects to this Request to the extent that it is duplicative of Request No.

37. Opposer further objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Opposer also objects to this Request as it imposes obligations that are beyond the scope of that which is required by the Federal Rules of Civil Procedure and/or relevant sections of the Code of Federal Regulations. And, Opposer objects to this Request as overly broad and unduly burdensome to the extent that it seeks “all documents” responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between “all documents” and the requested information. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the deadlines for expert disclosures and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents that are required to be produced in connection with expert disclosures pursuant to the Federal Rules of Civil Procedure and/or relevant sections of the Code of Federal Regulations, if any such documents exist.

39. A copy of the resume or curriculum vitae of each expert which Opposer may call as a witness or rely upon in this proceeding.

ANSWER: Subject to, and without waiving, any of the foregoing General Objections, Opposer will produce or make available, pursuant to the deadlines for expert disclosures and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged

documents within its possession, custody, or control if any exist.

40. All Documents concerning Opposer's policies regarding retention and destruction of Documents.

ANSWER: Opposer objects to this Request to the extent that it seeks the disclosure of documents covered by the attorney-client privilege, the work product doctrine, and/or any other statutory or common law privilege or immunity. Opposer also objects to this Request as overly broad and unduly burdensome to the extent that it seeks "all documents" responsive to the request without providing sufficient clarifications or limitations as to the degree of connection between "all documents" and the requested information. Opposer further objects to this Request as the term "policies" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

41. All Documents that Opposer intends to introduce into evidence or rely upon in this proceeding.

ANSWER: Opposer objects to this Request as the term "intends" is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties' coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

42. All Documents referred to or relied on in responding to Applicant's First Set of Interrogatories to Opposer served contemporaneously herewith.

ANSWER: Opposer objects to this Request as the term “referred to” is vague and ambiguous. Subject to, and without waiving, any of the foregoing Specific or General Objections, Opposer will produce or make available, pursuant to the parties’ coordination of production of documents and the Protective Order entered by the Trademark Trial and Appeal Board, responsive, non-privileged documents within its possession, custody, or control if any exist.

Dated: December 17, 2015

Respectfully submitted,

POTOMAC LAW GROUP, PLLC

By: 

Janet F. Satterthwaite

Elissa Brockbank Reese

Potomac Law Group, PLLC

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Suite 700

Washington, DC 20004

Tel: 202.486.1578

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ereese@potomaclaw.com

Attorneys for Opposer Content Guru Limited

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

-----X	:	
CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X	:	

CERTIFICATION OF SERVICE

This is to certify that a copy of the foregoing OPPOSER'S OBJECTIONS AND RESPONSES TO APPLICANT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS TO OPPOSER has been served on Applicant by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Joseph Petersen
Kilpatrick Townsend & Stockton LLP
1080 Marsh Road
Menlo Park, California 94025
Telephone: 650.614.6427
Fax: 650.644.0570
Email: JPetersen@kiltown.com, aroach@kiltown.com, cgenteman@kiltown.com,
agarcia@kiltown.com, tadmin@kiltown.com

Dated: December 17, 2015



Elissa Brockbank Reese

EXHIBIT 6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

-----X	:	
CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X	:	

NOTICE OF DEPOSITION OF MARTIN TAYLOR

To: Martin Taylor
c/o Janet F. Satterthwaite
Potomac Law Group
1300 Pennsylvania Ave NW
Washington, DC 20004

Applicant Twitter, Inc. ("Twitter), through counsel, pursuant to §§ 404.05 and 404.03(b) of the Trademark Trial and Appeal Board Manual of Procedure and 37 C.F.R. § 2.120(c), and subject to the consent of Opposer Content Guru Limited or the issuance of an order by the Trademark Trial and Appeal Board based on the good cause shown in Twitter's MOTION TO TAKE LIVE DEPOSITION TESTIMONY (submitted contemporaneously herewith), hereby gives notice that it will take the deposition of Martin Taylor, Sales and Marketing Director, Content Guru Limited, for purposes of discovery, use at trial, and any other purpose in accordance with the Federal Rules of Civil Procedure and Evidence and the Trademark Trial and Appeal Board Manual of Procedure.

The deposition shall take place commencing at a time and place agreed to by the parties,

continuing thereafter from day to day until completed.

The deposition will be taken pursuant to the Federal Rules of Civil Procedure, before a notary public or other officer duly authorized to administer oaths and before a court reporter authorized by law to take depositions, and may be videotaped. The parties to this action as represented by their attorneys are invited to be present.

Dated: February 3, 2016

Respectfully submitted,

**KILPATRICK TOWNSEND &
STOCKTON LLP**

By: /s/ Joseph Petersen
Joseph Petersen
1080 Marsh Road
Menlo Park, California 94025
Telephone: (650) 614-6427
Facsimile: (650) 644-0570

Allison Scott Roach
Crystal C. Genteman
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309
Telephone: (404) 815-6500
Facsimile: (404) 815-6555
Attorneys for Applicant Twitter, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

-----X	:	
CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X	:	

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF DEPOSITION OF MARTIN TAYLOR has been served on Opposer by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Janet F. Satterthwaite
Potomac Law Group
1300 Pennsylvania Ave NW
Washington, DC 20004

Dated: February 3, 2016

/s/Alberto Garcia
Alberto Garcia

EXHIBIT 7

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

-----X	:	
CONTENT GURU LIMITED,	:	
	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X	:	

NOTICE OF RULE 30(b)(6) DEPOSITION OF OPPOSER CONTENT GURU LIMITED

Applicant Twitter, Inc., through counsel, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure and §§ 404.05 and 404.03(b) of the Trademark Trial and Appeal Board Manual of Procedure and 37 C.F.R. § 2.120(c), and subject to the consent of Opposer Content Guru Limited or the issuance of an order by the Trademark Trial and Appeal Board based on the good cause shown in Twitter's MOTION TO TAKE LIVE DEPOSITION TESTIMONY (submitted contemporaneously herewith), hereby gives notice that it will take the deposition of one or more officers, directors, or managing agents, or other persons who consent to testify on behalf of Opposer Content Guru Limited, who shall testify as to matters known or reasonably available to the organization with respect to the subjects listed in the attached Schedule A.

The deposition shall take place commencing at a time and place agreed to by the parties, continuing thereafter from day to day until completed.

The deposition will be taken pursuant to the Federal Rules of Civil Procedure, before a notary public or other officer duly authorized to administer oaths and before a court reporter

authorized by law to take depositions, and may be videotaped. The parties to this action as represented by their attorneys are invited to be present.

Dated: February 3, 2016

Respectfully submitted,

**KILPATRICK TOWNSEND &
STOCKTON LLP**

By: /s/ Joseph Petersen
Joseph Petersen
1080 Marsh Road
Menlo Park, California 94025
Telephone: (650) 614-6427
Facsimile: (650) 644-0570

Allison Scott Roach
Crystal C. Genteman
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309
Telephone: (404) 815-6500
Facsimile: (404) 815-6555
Attorneys for Applicant Twitter, Inc.

SCHEDULE A

DEFINITIONS

- A. “Applicant” refers to Twitter, Inc.
- B. “Applicant’s Mark” refers to the TWEETSTORM mark that is the subject of Application Serial No. 86328428.
- C. “Applicant’s Services” refers individually and collectively to the services set forth in Application Serial No. 86328428.
- D. “Opposer” refers to Content Guru Limited, each of its predecessors, successors, assigns, parents, divisions, affiliates, or wholly-owned or partially-owned subsidiaries, either domestic or foreign, and the partners, officers, directors, employees, representatives, or agents of the foregoing and any other person acting or purporting to act on behalf of the foregoing.
- E. “Opposer’s Mark” means the STORM mark that is the subject of Application Ser. No. 77544841.
- F. “Opposer’s Application” means Application Ser. No. 77544841.
- G. “Opposer’s Goods and Services” shall refer individually and collectively to the goods and services set forth in Opposer’s Application.
- H. The “TWEET Marks” means the marks that are the subject of Reg. Nos. 4,338,963 (TWEET), 3,780,175 (COTWEET), 4,110,588 (TWEETDECK), and 3,699,994 (LET YOUR AD MEET TWEETS).
- I. “Channels of Trade” means the areas of commerce and means by which Opposer’s Services are marketed or sold. Channels of Trade include, but are not limited to, any and all sales agents, dealerships, resellers, distributors, websites, web pages, phone numbers,

brick-and-mortar locations, and any other outlets through which any of Opposer's Services are or have been marketed or sold.

J. "Date" means the exact date, month, and year if ascertainable, or, if not, the best available approximation (including in relationship to other events).

K. "You" or "Your" shall refer to Opposer as defined in Paragraph D, above.

L. The singular and the plural shall be mutually interchangeable, and usage of words either in the singular or plural in the Topics shall not be construed to limit any Topic.

M. "Document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P.

34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term.

N. "Person(s)" means any individual, firm, partnership, corporation, proprietorship, association, governmental body, or any other organization or entity.

O. "Third Party" means any Person except Opposer and Applicant.

P. "Identify" or "specify" when used in reference to a Person who is an individual, means to state his or her full name, present or last known address and phone number, and present or last known position or business affiliation.

Q. "Identify" or "specify" when used in reference to a Person who is a firm, partnership, corporation, proprietorship, association, or other organization or entity, means to state its full name, the legal form of such entity or organization, its present or last known address and telephone number, and the identity of its chief executive officer, partners, or Persons in equivalent positions.

R. The conjunctive form “and” and the disjunctive form “or” shall be mutually interchangeable and shall not be construed to limit any Topic.

S. The terms “any” and “all” shall be mutually interchangeable and shall not be construed to limit any Topic.

T. The term “including” shall mean “including without limitation.”

U. The term “concerning” shall be interpreted broadly, including both explicit and implicit reference, and meaning, without limitation, relating to, regarding, referring to, constituting, comprising, showing, defining, discussing, containing, construing, embodying, evidencing, supporting, refuting, reflecting, stating, dealing with, prepared in contemplation of, prepared in connection with, prepared as a result of, commenting upon, or in any way pertaining to.

TOPICS

1. The date(s) on which each of Opposer’s Goods and Services was first offered in commerce in the United States under Opposer’s Mark.

2. The date(s) on which each of Opposer’s Goods and Services was sold in the United States under Opposer’s Mark.

3. The annual sales of each of Opposer’s Goods and Services sold by Opposer under Opposer’s Mark to customers in the United States in unit and dollar revenue quantities for each year from the first date Opposer’s Goods and Services were sold under Opposer’s Mark to the present.

4. Each geographic area in which each of Opposer has offered or intends to offer Opposer’s Goods and Services in commerce in the United States under Opposer’s Mark.

5. The Channels of Trade through which Opposer has offered or intends to offer each of Opposer's Goods and Services in commerce in the United States under Opposer's Mark.

6. The intended customers, purchasers, or end users, or persons who are or may be expected to be customers, purchasers, or end users, of Opposer's Goods and Services, including, but not limited to, any research or studies related to such purchasers or users.

7. Each type of advertising medium or promotional means Opposer has used or intends to use to promote Opposer's Goods and Services offered under Opposer's Mark.

8. The annual dollar amount spent to date in advertising or promoting Opposer's Mark to customers in the United States.

9. Newspaper, magazine, Internet, radio, television, or other media articles or stories concerning Opposer's Mark.

10. Each website or web page on which Opposer's Mark has appeared.

11. All planned use of Opposer's Mark in connection with each of Opposer's Goods and Services from the date of first use of Opposer's Mark to the present, including but not limited to any business, franchise, or marketing plans concerning any actual and/or planned use of Opposer's Mark in the United States.

12. All applications filed to register Opposer's Mark for any goods or services.

13. The creation, development, selection, design, or adoption of Opposer's Mark, including but not limited to any trademark searches, investigations, market research or studies, written opinions or reports, artwork, sketches, drafts, drawings, or images.

14. The organizational structure of Opposer's business, including but not limited to the identity of Opposer's partners, officers, directors and/or managers.

15. Any licenses, assignments, or other agreements concerning Opposer's Mark, including any permission given by Opposer to any Third Party to use Opposer's Mark.

16. Each Third Party of which Opposer is aware that has used or is using a mark incorporating the term "STORM" in connection with computer hardware, computer software, or telecommunications services.

17. Any public opinion poll, study, survey, market research, or other analysis conducted, caused, or proposed to be conducted by or for Opposer with respect to Opposer's Mark.

18. Any searches, surveys, investigations, analyses, or studies by Opposer or on Opposer's behalf regarding Applicant, Applicant's Mark, or Applicant's operations.

19. Any investigations, surveys, or inquiries that Applicant has conducted and/or had conducted on its behalf concerning whether there is or may be any likelihood of confusion between Opposer's Mark and Applicant's Mark.

20. Any inquiry, complaint, or other communication concerning the qualities, advantages, or lack of quality of Opposer's Goods and Services offered in connection with Opposer's Mark.

21. Any efforts undertaken by Opposer to enforce any rights Opposer believes it has or may have in Opposer's Mark against any Person.

22. Any objection, including any legal proceeding other than the instant proceeding, involving Opposer's Mark.

23. Any communication concerning an association between Applicant, Applicant's Services, or Applicant's Mark on the one hand, and Opposer, Opposer's Goods and Services, or Opposer's Mark on the other hand.

24. Any experts engaged by Opposer in this matter.
25. Opposer's knowledge of Twitter and the TWEET Marks.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Serial No. 86328428
to register: TWEETSTORM
Filed: July 3, 2014
Published: April 14, 2015

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CONTENT GURU LIMITED,	:	Opposition No. 91223262
Opposer,	:	
	:	
v.	:	
	:	
TWITTER, INC.,	:	
	:	
Applicant.	:	
-----X	:	

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF RULE 30(B)(6)
DEPOSITION OF OPPOSER CONTENT GURU has been served on Opposer by depositing
said copy with the United States Postal Service as First Class Mail, postage prepaid, in an
envelope addressed to:

Janet F. Satterthwaite
Potomac Law Group
1300 Pennsylvania Ave NW
Washington, DC 20004

Dated: February 3, 2016

_____/s/Alberto Garcia
Alberto Garcia